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FORT LAUDERDALE CITY COMMISSION
JULY 18, 2000

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JULY 18, 2000**

Meeting was called to order at 6:10 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria F. Katz
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Tim Smith
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sgt. W. Brabble

Invocation was offered by *Reverend Jay Yerich*, First United Methodist Church.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Moore and seconded by Commissioner Smith that the agenda and minutes of the meetings as shown below be approved:

Regular Meeting	June 20, 2000
Regular Meeting	July 6, 2000

Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle.
NAYS: none.

NOTE: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

PRESENTATIONS (OB)1. 2000 Air and Sea Show

Mayor Naugle introduced *Mr. Mickey Markoff*, who presented the City Commission with a commemorative poster of the 2000 Air and Sea Show. He expressed his appreciation for the City's support of this event in May, and he believed this had been the most cooperative year ever thanks to the outstanding efforts of City staff above and beyond the call of duty. The City Manager reported that Mr. Markoff had paid his share of the City costs for the event, and Mr. Markoff stated that there had been no problems since Mr. Johnson had become the City Manager.

Mayor Naugle noted that a great view of Fort Lauderdale had been broadcast around the world on ESPN in July. He presented Mr. Markoff with the City Seal in recognition of this great event that had become a very important tradition in Fort Lauderdale.

2. United Way Campaign

Mayor Naugle introduced Police Chief Michael Brasfield to kick off this year's United Way Campaign. Chief Brasfield stated that the City's employees and officials participated in this campaign every year, and this year Fort Lauderdale would be one of the few organizations in the County that would be a pace-setter organization. Therefore, the campaign was being started early for completion by August 18, 2000, and the obligation included a pledge to increase support by 20%. He stated that this year's goal was to raise \$91,000. Chief Brasfield distributed pledge forms and recognized last year's Chair, Mr. Bruce Larkin. He advised that Mr. Larkin had "set the bar," and expressed his appreciation.

3. Neighborhoods USA

Commissioner Hutchinson was honored to present a plaque to the City from Neighborhoods USA. She explained that this was a national organization devoted and committed to stronger, healthier neighborhoods. For the first time, Fort Lauderdale had joined the organization, and Commissioner Hutchinson provided copies of the monthly newsletter and pins.

CONSENT AGENDA (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown.

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Promenade in the Park

(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with Beaux Arts of the Museum of Art Inc. to indemnify, protect, and hold harmless the City from any liability in connection with Promenade in the Park to be held on the second weekend in November from 2000 to 2004 in Holiday Park.

Recommend: Motion to approve.

Exhibit: Memo No. 00-982 from City Manager.

CONSENT AGENDA

Event Agreement – National Night Out Against Crime

(M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with Croissant Park, River Oaks, Edgewood, and Poinciana Park Civic Associations to indemnify, protect, and hold harmless the City from any liability in connection with National Night Out Against Crime to be held Tuesday, August 1, 2000 from 6:00 p.m. to 10:00 p.m. at Bryant Peney Park; and further authorizing the closing of the following roads: for the parade staging area – S.W. 13 Street from S.W. 3 Avenue to S.W. 4 Avenue from 3:30 p.m. to 6:30 p.m.; for the parade route – the northbound curb lane of S.W. 4 Avenue from S.W. 13 Street to Bryant Peney Park; for the event site – the roads bordering Bryant Peney Park from 3:30 p.m. to 11:00 p.m.: S.W. 21 Street from S.W. 3 Terrace to S.W. 4 Avenue, S.W. 22 Street from S.W. 3 Terrace to S.W. 4 Avenue, and S.W. 3 Terrace from S.W. 21 Street to S.W. 22 Street.

Recommend: Motion to approve.

Exhibit: Memo No. 00-983 from City Manager.

Event Agreement – Summer Cross Café Connection Music Explosions

(M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with First United Methodist Church to indemnify, protect, and hold harmless the City from any liability in connection with the Summer Cross Café Connection Music Explosion to be held Saturday, August 19, 2000 from 7:00 p.m. to 11:00 p.m. at Esplanade; and further authorizing the closing of S.W. 4 Avenue from S.W. 2 Street to the cul-de-sac at Riverwalk from 4:00 p.m. to 12:00 midnight.

Recommend: Motion to approve.

Exhibit: Memo No. 00-986 from City Manager.

Event Agreement – An Evening Stroll

(M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the Las Olas Association to indemnify, protect, and hold harmless the City from any liability in connection with An Evening Stroll to be held Thursday, August 17, 2000 from 7:00 p.m. to 11:00 p.m.; and further authorizing the closing of East Las Olas Boulevard from S.E. 6 Avenue to S.E. 11 Avenue, and S.E. 8 Avenue, S.E. 9 Avenue and S.E. 10 Terrace from East Las Olas Boulevard to the alleys on the north and south sides from 1:00 p.m. Thursday, August 17 to 1:00 a.m. Friday, August 18, 2000.

Recommend: Motion to approve.

Exhibit: Memo No. 00-987 from City Manager.

CONSENT AGENDA

Event Agreement – Caravan Stage Barge

(M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the Performing Arts Center Authority to indemnify, protect, and hold harmless the City from any liability in connection with the Caravan Stage Barge to be held Friday, November 3, 2000 through Sunday, November 5, 2000 from 8:00 p.m. to 10:00 p.m. at the Esplanade; and further authorizing the closing of S.W. 4 Avenue from south of the entrance to the post office parking lot to the cul-de-sac at Riverwalk from 3:00 p.m. Friday, November 3 to 12:00 midnight Sunday, November 5, 2000.

Recommend: Motion to approve.

Exhibit: Memo No. 00-988 from City Manager.

Event Agreement – World Aids Day Walk for Life and Candlelight Vigil

(M-6)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with Community Foundation of Broward, Inc. to indemnify, protect, and hold harmless the City from any liability in connection with the World Aids Day Walk for Life and Candlelight Vigil to be held Saturday, November 18, 2000 from 3:00 p.m. to 7:00 p.m.; and further authorizing the closing of the walk route as follows: beginning at 3:00 p.m. at Stranahan Park, south on S.E. 1 Avenue to East Las Olas Boulevard, east to S.E. 3 Avenue, south to S.E. 17 Street, west to Andrews Avenue, north to return to Stranahan Park.

Recommend: Motion to approve.

Exhibit: Memo No. 00-999 from City Manager.

Event Agreement – Paul and Ron's Luau

(M-7)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with HepC Alert, Inc. to indemnify, protect, and hold harmless the City from any liability in connection with Paul and Ron's Luau to be held Saturday, September 3, 2000 from 12:00 noon to 6:00 p.m. at South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1000 from City Manager.

Contract Extension – Florida Department of
Environmental Protection (DEP) – Lifeguard Services at Birch State Park

(M-8)

A motion authorizing the proper City officials to execute an agreement with DEP for lifeguard services at Birch State Park.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1001 from City Manager.

CONSENT AGENDA

Donation of Bronze Statue – “L’il Blader” – Colee Hammock Park

(M-9)

A motion accepting the donation of a bronze statue known as “L’il Blader” to be placed in Colee Hammock Park.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1022 from City Manager.

Budget Public Hearing Dates – Fiscal Year 2000/2001

(M-10)

A motion setting the public hearing date to consider the proposed millage rate and the City’s FY 2000/2001 tentative budget on September 11, 2000 at 6:00 p.m., and setting the hearing date to consider the final millage rate and the City’s FY 2000/2001 final budget on September 19, 2000 at 6:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 00-996 from City Manager.

Neighborhood Capital Improvement Program
(NCIP) – Outsourcing of Engineering Services for the
Sunrise Key, Las Olas Isles, Riviera Isles, The Landings,
Laudergate Isles, and Tarpon River Homeowner Association Projects

(M-11)

A motion authorizing the proper City officials to outsource the NCIP projects for the Sunrise Key, Las Olas Isles, Riviera Isles, The Landings, Laudergate Isles, and Tarpon River Homeowner Associations.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-974 from City Manager.

Contract Award – Tenex Enterprises, Inc. –
Project P10070 – Knoll Ridge NCIP Entranceway Improvement Project

(M-12)

A motion authorizing the proper City officials to execute an agreement with Tenex Enterprises, Inc. in the amount of \$34,870 for the construction of the Knoll Ridge NCIP entranceway improvements at N.E. 18 Terrace and 53 Street, and N.E. 54 Street and 22 Terrace.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-679 from City Manager.

CONSENT AGENDA

Contract Award – Villa & Son Landscaping Corporation -
Project P10076 – The Landings NCIP Landscaping Improvement Project (M-13)

A motion authorizing the proper City officials to execute an agreement with Villa & Son Landscaping Corporation in the amount of \$37,134 for The Landings NCIP landscaping improvement project along Bayview Drive and along N.E. 55 Street.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-966 from City Manager.

Contract Award – Loucks Engineering – Project 10205 -
Engineering Services for the Sunrise Key NCIP Entranceway Project (M-14)

A motion authorizing the proper City officials to execute an agreement with Loucks Engineering in the amount of \$9,650 for engineering services for the Sunrise Key NCIP entranceway improvement project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1035 from City Manager.

Contract Award – Loucks Engineering – Project 10208 -
Engineering Services for The Landings NCIP Entranceway Project (M-15)

A motion authorizing the proper City officials to execute an agreement with Loucks Engineering in the amount of \$2,150 for engineering services for The Landings NCIP entranceway project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1036 from City Manager.

Contract Award – Loucks Engineering – Project 10204 - Engineering
Services for the LauderGate Isles NCIP Entranceway Project/Gate Arm System (M-16)

A motion authorizing the proper City officials to execute an agreement with Loucks Engineering in the amount of \$3,150 for engineering services for the LauderGate Isles NCIP entranceway project and gate arm system.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1037 from City Manager.

CONSENT AGENDA

Contract Award – Loucks Engineering – Project 10201 - Engineering
Services for the Riviera Isles NCIP Entranceway Project/Gate Arm System (M-17)

A motion authorizing the proper City officials to execute an agreement with Loucks Engineering in the amount of \$2,650 for engineering services for the Riviera Isles NCIP entranceway project and gate arm system.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1038 from City Manager.

Contract Award – Loucks Engineering – Project 10200 -
Engineering Services for the Las Olas Isles NCIP Entranceway Project (M-18)

A motion authorizing the proper City officials to execute an agreement with Loucks Engineering in the amount of \$6,850 for engineering services for the Las Olas Isles NCIP entranceway improvement project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1039 from City Manager.

Neighborhood Capital Improvement Project (NCIP)
Grant and Maintenance Agreement/Revocable License –
Project 10207 - Lauderdale Beach Median Island Improvements (M-19)

A motion authorizing the proper City officials to execute an NCIP Grant and Maintenance Agreement/Revocable License with the Lauderdale Beach Homeowners Association for the median island improvement project at N.E. 27 Street and State Road A-1-A.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-973 from City Manager.

Neighborhood Capital Improvement Project (NCIP)
Grant and Maintenance Agreement/Revocable License –
Project 10063 – Bay Colony Entranceway Improvements (M-20)

A motion authorizing the proper City officials to execute an NCIP Grant and Maintenance Agreement/Revocable License with the Bay Colony Homeowners Association for the entranceway features improvement project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-967 from City Manager.

CONSENT AGENDA

Business Capital Improvement Project (BCIP)
Grant and Maintenance Agreement – Project 10242 -
Las Olas Association, Inc. – Neon Light Rings on Sabal Palm Trees (M-21)

A motion authorizing the proper City officials to execute a BCIP grant and maintenance agreement with the Las Olas Association, Inc. for the purchase and installation of 68 neon-light rings to be mounted on existing sabal palm trees along Las Olas Boulevard, between S.E. 6 Avenue and S.E. 11 Avenue.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-969 from City Manager.

Business Capital Improvement Project (BCIP)
Revocable License Agreement – Project 10105 -
Riverwalk Fort Lauderdale Inc. – Repair and Replacement of Kiosks (M-22)

A motion authorizing the proper City officials to execute a BCIP revocable license agreement with Riverwalk Fort Lauderdale Inc. for the repair and replacement of kiosks project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-970 from City Manager.

Transfer of License –
Jovi Limousine, Inc. to Associated Limousine Services, Inc. (M-23)

A motion authorizing the transfer of a license to operate a limousine service for six to nine (6-9) passengers within the city limits from Jovi Limousine, Inc. to Associated Limousine Services, Inc.

Recommend: Motion to approve.
Exhibit: Memo No. 00-961 from City Manager.

Seventh Amendment to
Lease Agreement – Fort Lauderdale Historical Society (M-24)

A motion authorizing the proper City officials to execute the Seventh Amendment to the Lease Agreement with the Fort Lauderdale Historical Society for certain revisions and updates to the 1998-2005 second 5-Year Performance Plan.

Recommend: Motion to approve.
Exhibit: Memo No. 00-997 from City Manager.

CONSENT AGENDA

Transfer of General Fund Contingencies -
Purchase of Chairs for the City Commission Conference Room and Lobby Area (M-25)

A motion authorizing the transfer of \$10,000 from General Fund Contingencies to the City Clerk's Office account for the purchase of chairs for the City Commission Conference Room and lobby area.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1058 from City Clerk.

2000-2005 Consolidated Plan and Neighborhood Revitalization
Strategy Area Plan for Department of Housing and Urban Development (HUD) (M-26)

A motion approving the 2000-2005 Consolidated Plan and Neighborhood Revitalization Strategy Area Plan for submission to HUD by August 15, 2000 to continue the City's federal entitlement funding; and further authorizing the proper City officials to execute all documents necessary to receive and utilize such funds.

Recommend: Motion to approve.

Exhibit: Memo No. 00-883 from City Manager.

Transfer of General Fund Contingencies and Agreement for
Donation of Permit Fees, Inspection Costs and Infrastructure
Improvements for the Construction of Hampton Inn, 250 North Andrews Avenue (M-27)

A motion approving the transfer of \$24,800 from General Fund Impact Fees, and \$83,980 from General Fund Contingencies to Project 00466 (Hampton Inn), and an agreement with Hospitality Operations, Inc. for the donation of permit fees, inspection costs, and infrastructure improvements for the construction of a Hampton Inn to be located at 250 North Andrews Avenue. (Also see Item I-D on the Conference Agenda)

Funds: Transfer \$24,800 from General Fund Impact Fees and \$83,980 from General Fund Contingencies to Project 00466 (Hampton Inn)

Recommend: Motion to approve.

Exhibit: Memo No. 00-984 from City Manager.

Police Agencies in Broward County -
Amendment to the Law Enforcement Mutual Aid
Agreement for Voluntary Cooperation and Operational Assistance (M-28)

A motion authorizing the proper City officials to execute an Amendment to the Law Enforcement Mutual Aid Agreement for Voluntary Cooperation and Operational Assistance to include pre-arranged traffic enforcement and traffic escort activities.

Recommend: Motion to approve.

Exhibit: Memo No. 00-998 from City Manager.

CONSENT AGENDA

Purchase of Property – Mae Liza Knight and
Dorothy A. Watkins – Wingate Road Site Remediation Project – 2931 N.W. 13 Street (M-29)

A motion authorizing the proper City officials to execute a purchase agreement with Mae Liza Knight and Dorothy A. Watkins for the City to purchase property located at 2931 N.W. 13 Street (Lot 5, Block 68 “Washington Park,” 6th Addition, Plat Book 39/9B), in the amount of \$52,000 plus estimated closing costs and taxes of \$1,500 and relocation expenses of \$3,000.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-871 from City Manager.

Amendment to Agreement – Flynn Engineering Services, P.A. –
Project 15200 – Holiday Park Phase II and Phase III Improvements (M-30)

A motion authorizing the proper City officials to execute an amendment to the agreement with Flynn Engineering Services, P.A. in an amount not to exceed \$36,000 for the Holiday Park Phase II and Phase III improvements.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-868 from City Manager.

Task Order – Recreational Design and
Construction, Inc. – Seminole Drive Permanent Road Closure (M-31)

A motion authorizing the proper City officials to execute a Task Order with Recreational Design and Construction, Inc. in the amount of \$22,440 for the construction of a permanent road closure on Seminole Drive, south of N.E. 11 street, subject to receipt of funds from the Coral Ridge Homeowners Association for the design/build work.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1068 from City Manager.

Amendment to Agreement -
Williams Engineering, Inc. – Project 9689 – Mills Pond Park (M-32)

A motion authorizing the proper City officials to execute an amendment to the agreement with Williams Engineering, Inc. in the amount of \$3,000 to provide additional site visits at Mills Pond Park.

Recommend: Motion to approve.
Exhibit: Memo No. 00-876 from City Manager.

CONSENT AGENDA

Contract Award – Recreational Design and Construction, Inc. – Projects
15170/15210 – Aquatic Facilities at Croissant Park and Lauderdale Manors Park (M-33)

A motion authorizing the proper City officials to execute an agreement with Recreational Design and Construction, Inc. in the amount of \$3,085,000 for the design/build services for the installation of aquatic facilities at Croissant Park and Lauderdale Manors Park.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-869 from City Manager.

Contract Award – Spades Constructors, Inc. -
Project 8994 – Lifeguard Stand Replacement Project (M-34)

A motion authorizing the proper City officials to execute an agreement with Spades Constructors, Inc. in the amount of \$228,920 for the building and installation of eight lifeguard stands.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-875 from City Manager.

Contract Award – Jaffer Associates, Ltd. -
Project 5287 – Davie Boulevard/I-95 Overpass Beautification (M-35)

A motion authorizing the proper City officials to execute an agreement with Jaffer Associates, Inc. in the amount of \$98,000 for the landscaping and irrigation improvements in the Davie Boulevard/I-95 overpass area.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-877 from City Manager.

Change Order No. 1 – Utilities Services, Inc. -
Project 9450 – Renovation of Sewage Repump Station A (M-36)

A motion authorizing the proper City officials to execute Change Order No. 1 with Utilities Services, Inc. in the amount of \$50,534.51 for additional work required for the renovation of sewage repump Station A.

Funds: See Change Order

Recommend: Motion to approve.
Exhibit: Memo No. 00-1003 from City Manager.

CONSENT AGENDA

Final Adjusting Change Order and Project Close-Out -
COBAD Construction – Project 9292 – Downtown Helistop

(M-37)

A motion authorizing the proper City officials to execute the final adjusting change order with COBAD Construction to concur with the work provided, delete lobby construction work, add necessary additional fireproofing applications, settling all claims and outstanding issues under Project 9292, Downtown Helistop.

Funds: See Memo and Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 00-1047 from City Manager.

Change Order No. 2 – Foster Marine Contractors, Inc. -
Project 10031 – Argyl Sanitary Sewer Improvements and Water Main Replacement

(M-38)

A motion authorizing the proper City officials to execute Change Order No. 2 with Foster Marine Contractors, Inc. in the amount of \$29,867.55 for additional work under the Argyl Sanitary Sewer Improvement Project. (Also see Item R-4 on this Agenda)

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 00-476 from City Manager.

Change Order – B. K. Marine Construction, Inc. -
Project 9701 – Removal and Disposal of Derelict Vessel

(M-39)

A motion authorizing the proper City officials to execute a Change Order with B. K. Marine Construction, Inc. in the amount of \$35,000 for removal and disposal of a derelict vessel under the Florida Derelict Vessel Removal Program.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 00-1046 from City Manager.

Reconveyance of Lands/Acceptance of
Sidewalk Easement – The Las Olas Company/Riverside Hotel

(M-40)

A motion authorizing the reconveyance of the north ten (10) feet of Lots 6, 7, and 8 of Block A of Edgewater, Plat Book 1, Page 123, Dade County Records, under provisions of Florida Statutes Section 255.22, and further authorizing the acceptance of a sidewalk easement encompassing such lands.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1967 from City Manager.

CONSENT AGENDA

Task Order – Post Buckley Schuh and Jernigan (PBS&J) -
Project 9850 – Proposed Traffic Signal at N.E. 30 Street and State Road A-1-A (M-41)

A motion authorizing the proper City officials to execute a Task Order with Post Buckley Schuh and Jernigan in the amount of \$12,000, subject to the execution of a Joint Participation Agreement amendment with the Florida Department of Transportation in the amount of \$300,000 to prepare traffic signal construction and modification drawings. (Also see Item R-7 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1005 from City Manager.

Transfer of General Fund Contingencies and
Task Order – Hughes Hall, Inc. – Project 10625 – Proposed Pedestrian
Signalized Crosswalk at N.E. 62 Street between N.E. 22 Avenue and N.E. 21 Road (M-42)

A motion authorizing the proper City officials to execute a Task Order with Hughes Hall, Inc. in the amount of \$12,000 to prepare construction plans and specifications to install a signalized crosswalk on N.E. 62 Street between N.E. 22 Avenue and N.E. 21 Road; and further authorizing the transfer of \$12,000 from General Fund Contingencies to Project 10625.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 00-1002 from City Manager.

Amendment to Developer Agreement - BridgeSide Place Ltd.
Project 9733 – BridgeSide Square Special Assessment Project (M-43)

A motion authorizing the proper City officials to execute an amendment to the Developer Agreement with BridgeSide Place Ltd. for the purpose of allowing the developer to construct the BridgeSide Square Special Assessment project at a guarantee not to exceed price of \$2,491,514.

Recommend: Motion to approve.
Exhibit: Memo No. 00-1006 from City Manager.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-1</u>
State	Purchase of three compact automobiles Adm. Srv./Fleet	Garber Chevrolet-GEO, Inc. Green Cove Springs, FL	\$37,347.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-935 from City Manager

Remarks: Transfer of \$37,347 from Planning and Economic Development (PED020101-6416) to Fleet Fund (ADM030501-6416).

Recomm: Approve purchase from Florida State Contract with transfer of funds.

			<u>Pur-2</u>
State & Prop	Purchase of web access software, licenses and 2 servers for the City Clerk's imaging system Adm. Srv./Info. Systems	Minolta Information Systems Miami Lakes, FL Dell Marketing L.P. Round Rock, TX	\$ 80,260.00 <u>18,450.00</u> \$98,710.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-923 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Transfer \$20,000 from Technology-Computer Hardware (GEN020101-6404) and \$49,000 from Computer Software (ADM020101-6405) to Computer Software (CLK010101-6405).

Recomm: Approve Florida State contract and proprietary purchases with transfer of funds.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-3</u>
State	Purchase of equipment and services to upgrade the City Hall network (LAN, local area) Admin. Srv./Info. Systems	IKON Office Solutions Ft. Lauderdale, FL	\$154,862.20

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-955 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve purchases from Florida State contracts.

			<u>Pur-4</u>
Prop	Purchase of utility billing software upgrade Adm. Srv./Info. Systems	SunGuard Pentamation Bethlehem, PA	\$ 45,000.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-954 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-5</u>
302-8310	Housing Opportunities for People with AIDS (HOPWA) Grant Awards CED	Broward House Ft. Lauderdale, FL Housing Authority Ft. Lauderdale, FL	\$ 103,401.00 <u>737,747.00</u>
		1999/00 TOTAL	\$ 841,148.00
		Broward House Ft. Lauderdale, FL House of Hope Ft. Lauderdale, FL Shadowood II Ft. Lauderdale, FL MODCO Ft. Lauderdale, FL Susan B. Anthony Lauderdale Lakes, FL	\$ 1,410,931.00 160,780.00 657,000.00 52,644.00 <u>109,500.00</u>
		2000/01 TOTAL	\$ 2,390,855.00
		GRANTS AWARD	\$ 3,232,003.00

Bids Solicited/Received: 27/8

Exhibits: Memorandum No. 00-964 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve funding recommendations.

			<u>Pur-6</u>
562-7318	Interim contract extensions	Ameritas Dental (various)	\$ 165,828.84
572-7790	for health & dental	CIGNA Dental	85,119.00
	insurance coverages –	HIP (PPO/FOP)	1,185,465.75
	various City employees	HUMANA (various)	<u>1,214,451.63</u>
	Finance/Risk		\$2,650,865.22

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1029 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve interim contract extensions.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
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702-8331	Two year contract for flag football officiating services Parks & Recreation	Mills Pond Umpires Assoc. Ft. Lauderdale, FL	<u>Pur-7</u> \$ 25,100.00
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Bids Solicited/Received: 10/2

Exhibits: Memorandum No. 00-981 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Award to low responsive and responsible bidder.

392-8047	Public Safety networking equipment maintenance agreement Police	Unisys Corp. Atlanta, GA	<u>Pur-8</u> \$ 132,051.67
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Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-830 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

Bid No.	Item/Service	Low Responsible Bidder	Amount
			<u>Pur-9</u>
602-8319	Three-year contract for water meter reading services Public Services	Bermex Contract Services Southfield, MI	\$ 371,210.40 (estimated annual total)

Bids Solicited/Received: 11/3

Exhibits: Memorandum No. 00-977 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Award to first ranked proposer.

			<u>Pur-10</u>
682-7770	Change order to increase encumbrance for the purchase of polymer for color removal Public Services	Kemwater North America, Inc. Walnut Creek, CA	\$ 102,211.22

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-962 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve change order.

			<u>Pur-11</u>
Prop	Purchase of six replacement roll-off containers Public Services	Marrel Corporation Hendersonville, TN	\$ 38,100.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-916 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

Bid No.	Item/Service	Low Responsible Bidder	Amount
			<u>Pur-12</u>
602-8321	Two year contract for press-belts (screens) Public Services	Komline-Sanderson Corporation Ogdensburg, NJ	\$ 48,426.00

Bids Solicited/Received: 5/5

Exhibits: Memorandum No. 00-926 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Award to low responsive and responsible bidder.

			<u>Pur-13</u>
(estimated)	Temporary professional webmaster services for City's website City Mgr./PIO	Aquent Partners Boston, MA	\$ 20,000.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1042 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve temporary professional services.

			<u>Pur-14</u>
Prop	Purchase of software for UCS report writing Police	HTE - UCS Fort Lauderdale, FL	\$142,420.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1027 from City Manager

Remarks: The Purchasing Division has reviewed this item and agrees with the recommendation.

Recomm: Approve proprietary purchase.

PURCHASING AGENDA

<u>Bid No.</u>	<u>Item/Service</u>	<u>Low Responsible Bidder</u>	<u>Amount</u>
			<u>Pur-15</u>
Miami-Dade County	Purchase of two step vans Admin. Serv./Fleet	Kaiser Pontiac, GMC Truck, Inc. Deland, FL	\$99,350.00

Bids Solicited/Received: N/A

Exhibits: Memorandum No. 00-1054 from City Manager

Recomm: Approve purchase from Miami-Dade contract.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-6, M-7, M-21, M-25, M-28, M-34, M-36, M-37, M-43, Pur. 2, Pur. 5, Pur. 6 and Pur. 15 be deleted from the Consent Agenda and considered separately, and that the remaining Consent Agenda items be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Event Agreement – World Aids Day Walk for Life and Candlelight Vigil (M-6)

Commissioner Hutchinson believed she had a conflict of interest with respect to this item. She explained that she owned a commercial cleaning business and provided services to the Community Foundation of Broward, Inc. The City Attorney agreed Commissioner Hutchinson should abstain from voting on this item and submit a Conflict of Interest form for submission to the City Clerk within 15 days.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-6 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Katz, Smith, and Mayor Naugle. NAYS: none.

Event Agreement – Paul and Ron's Luau (M-7)

Mayor Naugle noted that the agenda indicated this event would be held on Saturday, September 3, 2000, but he believed that date was a Sunday. He understood it would be held in the South Beach Parking Lot, and he believed this was a busy weekend at the beach. Mr. Tom Tapp, Director of Parks & Recreation, agreed that Labor Day Weekend could be a strong weekend depending on the weather. In past years, however, Labor Day had not been anywhere near as busy as Memorial Day and Independence Day weekends. He stated that staff had worked with the group and believed it would fit within the confines of the area, and the organization would purchase those parts of the parking lot that would be utilized.

It was confirmed that September 3, 2000 was a Sunday. Mayor Naugle believed the parking lot was usually filled by noon. Mr. Tapp stated that an area would be cordoned off.

Mr. Kevin Sorenzio stated that the organization would purchase the parking spaces that would be utilized for the event, and they would arrive early in the morning to set up. Mayor Naugle asked how many spaces would be used and inquired about anticipated attendance. Mr. Sorenzio thought as many as 5,000 people would attend, but he did not expect to use more than 20 parking spaces. He advised that shuttle services could be provided, and he reported that there would be a beer garden.

Ms. Sue Molnar, Event Coordinator, stated that shuttling the public had been discussed, and the spaces in the parking lot would be used strictly as a staging area.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-7 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Business Capital Improvement Project (BCIP)
Grant and Maintenance Agreement – Project
10242 – Las Olas Association, Inc. –
Neon Light Rings on Sabal Palm Trees (M-21)

Commissioner Smith inquired about the maintenance of the neon light rings. Ms. Kathryn Young-Glenwinkle, Economic Development Department, advised that a maintenance agreement with the Las Olas Association was being drafted. The Association would be responsible for the maintenance. She displayed a sample of the neon light.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-21 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Transfer of General Fund Contingencies – Purchase of
Chairs for City Commission Conference Room and Lobby Area (M-25)

Commissioner Smith wanted to make sure the capacity in the Conference Room would be the same or greater with the new chairs. The City Clerk advised that capacity would increase by approximately 25%.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-25 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Police Agencies in Broward County – Amendment to the
Law Enforcement Mutual Aid Agreement for
Voluntary Cooperation and Operational Assistance (M-28)

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-28 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Contract Award – Spades Constructors, Inc. –
Project 8994 – Lifeguard Stand Replacement Project (M-34)

Commissioner Katz understood 15 lifeguard stands would be replaced with 8 stands. Mr. Pete Sheridan, Engineering Division, stated that the overall program involved replacement of 15 stands. In this phase, 8 of the 15 would be replaced. In the meantime, staff would seek additional funding, and the additional stands could be added later at the same price.

Commissioner Smith noted that a lot of people had wanted lifeguard protection at the north end of the beach for a long time without success. He wondered if the stands could be spread further apart in order to cover greater area so there would be some sort of coverage on the north beach. Mr. Tom Tapp, Director of Parks & Recreation, explained that stands were set at certain spacing based on recovery of victims. He stated that the lifeguards were timed, and victim recovery had to occur within two minutes. Mr. Tapp believed the stands were set as far apart as possible while still providing adequate recovery time.

Commissioner Smith wondered if the City Manager thought future funding for north beach lifeguards was possible. The City Manager said staff continued to pursue some avenues with Broward County in this regard. He felt the spacing of the stands was necessary to meet certain safety standards, but he would continue to pursue funding for additional stands and personnel.

Mayor Naugle asked if the lifeguards felt the design of the new stands was functional. Mr. Tapp replied they did and, in fact, had a lot to do with the design itself. He also reported that the State had approved the design as well.

Commissioner Smith suggested that the issue of additional lifeguards be placed on the agenda for the next meeting with the County Commission. Mayor Naugle wondered if people could sponsor stands. The City Manager said that was one idea staff had been pursuing, but they had to ensure compliance with existing rules and regulations relating to advertising signs. Mayor Naugle wondered how much it would cost to sponsor a lifeguard stand. Mr. Tapp stated that the estimated construction cost was \$25,000 per stand. He noted they would be all aluminum with non-corrosive fasteners, and they would be movable. Mr. Tapp believed it would be possible to obtain sponsors once everyone saw the stands.

Commissioner Moore noted that the cost of the stand was only one aspect since the stands had to be manned. He wondered how much budget impact there would be to man two additional lifeguard stands. Mr. Stu Marvin, Recreation Department, estimated the cost for a lifeguard and equipment at \$40,000 per year, plus the cost of the lifeguard stands. Commissioner Moore asked that the City Manager review the matter to see if something could be considered in the upcoming budget.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-34 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Change Order No. 1 – Utilities Services, Inc. –

Project 9450 – Renovation of Sewage Repump Station A (M-36)

Commissioner Hutchinson asked for additional information. Mr. Hector Castro, Public Services Department, stated this involved closing out a very old project. He stated that one contractor was working on two projects at the same time – the Fiveash Pump House renovations and modification of the Plant A Repump station. Mr. Castro said that most of these monies were payment for work performed but withheld because there had been some operational problems until about a year after construction. He advised there had been some litigation, and the contractor had gone bankrupt.

Mr. Castro stated that the most controversial item involved \$8,800 paid in error. He explained that had been the result of a miscommunication on the part of the City between two departments and some confusion about which project was involved. Mr. Castro said everything here was for payment for work done except for the \$8,800 that the surety was now demanding. In addition, 5% interest would be paid. He understood that if this went to litigation and the plaintiff prevailed, the City would have to pay both attorney's fees and interest at the rate of 10%. Therefore, this represented a negotiated reduction. Mr. Castro advised that staff was recommending that surety bonds be modified to require notification to the City Engineer with a copy to the City Attorney when payments were to be withheld.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item No. M-36 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Final Adjustment Change Order and Project Close Out –
COBAD Construction – Project 9292 – Downtown Helistop (M-37)

Mayor Naugle inquired about the amount of this change order. Mr. Hector Castro, Public Services Department, replied it was \$272,363. Mayor Naugle said that after receiving an explanation from staff he felt the designer should pay at least a portion since he had recommended the coating on the metal structures that did not comply with the Fire Code. He did not feel the taxpayers should bear this burden when it was clear that others were responsible, and he did not think the designer had done a very good job with the project. Mayor Naugle hoped this designer would not do any other work for the City in the future.

Commissioner Moore felt the change order should be approved, and staff could then go after recompense from the designer. He saw no reason not to proceed with the change order today. Commissioner Smith agreed with Mayor Naugle. He thought the Commission should vote against this change order, and he felt the project had been a “boondoggle” since day one. Commissioner Moore pointed out that the City had received millions in federal funds, and he did not want to react in a “knee jerk” manner.

Mr. Castro advised that the project had been funded by the Federal Aviation Administration (FAA), the Florida Department of Transportation (FDOT) and the Airport Enterprise Fund in an approximate cost of \$3 million. Commissioner Smith asked if there was any “scrap value in the erector set.” Mr. Castro stated that the intent was to put the helistop into operation late in the fall. Commissioner Hutchinson asked if this change order would complete the work. Mr. Castro said this would complete COBAD’s work, but some of the work items had been deleted from the contract because terms could not be reached on schedule and price.

Mr. Castro reported that the City was working to complete the lobby, and that work was just about completed. In addition, HNTB had agreed to correct a design error and install emergency stairways on the west side. That work was underway and should be completed in the fall. Mr. Castro advised that this change order would complete fireproofing and punch list items, but there would be one more small change order for addition of a smoke detector in the elevator equipment room required by a recent State inspection.

Commissioner Hutchinson understood that if the helistop were not completed, the City would have to pay back the state and federal governments. Mr. Castro agreed that was correct. Commissioner Katz wanted the Airport Manager to address this issue in light of the new Foreign Trade Zone. Mr. Bill Crouch, Airport Manager, said the project had been started a few years ago with a unique funding formula with one-third of the cost coming from the FAA, one-third from the FDOT, and one-third from the Enterprise Fund. He noted that the FAA was contributing an additional \$185,000, and this change order would maximize federal funding by closing out the project by September 30, 2000.

Mr. Crouch stated that this project was being supported by grant agencies, and that money could go to other communities. It was also being supported by the Enterprise Fund, and this was a small way in which the Airport could give something back to the community to help the downtown business district encourage and attract economic development. He advised that there were approximately 848 helicopters within a 250-mile radius of Fort Lauderdale.

Mayor Naugle pointed out that whether the money came from the state or the federal government or the Enterprise Fund, it was all tax money. When designers and builders made mistakes, he did not feel the taxpayers should be left holding the bag. He believed the designer had a responsibility. Commissioner Moore agreed, but there would be more of an impact on the local taxpayers if this change order were not approved because over \$2 million would have to be returned. He felt staff should pursue the designer if it was appropriate.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve Consent Agenda Item No. 37 and to pursue the designer if appropriate. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: Commissioner Smith.

The City Attorney advised that he had interviewed Mr. Kisela and Mr. Castro, and both had indicated that there had been no engineering malpractice. He said a report would be provided to the City Commission nevertheless. Mayor Naugle thought this appeared to be the same type of situation as had occurred a decade ago with Hazen & Sawyer.

Amendment to Developer Agreement – BridgeSide Place Ltd.
Project 9733 – BridgeSide Square Special Assessment Project (M-43)

Commissioner Smith hoped the weekly community meetings would continue. Mr. Pete Sheridan, Engineering Division, advised that monthly meetings would be conducted on the first Monday of every month so the community's concerns and issues were addressed. Commissioner Smith was pleased the gatehouse had been included in the bid specifications.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-43 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

State and Proprietary Bid – Web Access Software,
Licenses and Servers for Imaging System (Pur. 2)

Commissioner Smith said he had pulled this item from the Consent Agenda to give the City Clerk an opportunity to explain how this would work. The City Clerk advised this software would interface with the imaging system, which contained all the official records, so citizens would be able to access all of the agenda material on the Internet. She stated that the first time a citizen used it, there would be a free download to access the information. Commissioner Smith understood the system would save the City Clerk's Office some 20 man hours per week.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 2 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Bid No. 302-8310 – Housing Opportunities for
People with AIDS (HOPWA) Grant Awards (Pur. 5)

Commissioner Hutchinson asked if the problems with the Sunshine House had been disclosed in the Request for Proposals (RFP). She understood it had been boarded for more than 180 days and, therefore, could lose unit density. Ms. Faye Outlaw, Housing & Community Development Manager, stated that the RFP did not specifically list all of the issues relating to zoning, density, etc. However, it had indicated that execution of the contract with Sunshine House would be contingent upon completion of the foreclosure action and the community input process. At that time, all of the zoning and other issues would be considered.

Mayor Naugle stated that if Sunshine House was a non-conforming use, and the use had been abandoned for more than 180 days. Therefore, the City could review at some point whether it still maintained its non-conforming status. If not, the building could be demolished. Commissioner Hutchinson understood the City was the owner. The City Attorney agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 5 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Bid Nos. 562-7318 and 572-7790 – Interim Contract
Extensions for Health and Dental Insurance Coverage (Pur. 6)

Mayor Naugle understood the listed companies were those with which the City had current agreements that were being extended. Mr. Kirk Buffington, Purchasing Manager, agreed that was correct. He advised that these agreements were being extended for a few months until the new funding policies were put into place.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 6 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Temporary Professional Webmaster Services
for City's Website (Pur. 13)

Although this item had not been deleted from the Consent Agenda for separate consideration, Commissioner Moore wondered why it was necessary to get these services from Boston. Ms. Leslie Backus, Public Information Manager, advised that the company had an office in Miami, and it retained people who worked on a freelance basis from throughout Dade, Broward and Palm Beach Counties.

Miami-Dade County Bid – Two Step Vans (Pur. 15)

Commissioner Smith wanted to make sure the City was not “going whole hog” on these two SWAT vans. He wondered if the Police Chief could live with one van and keep the other \$45,000 in case expenses were incurred in terms of housing juvenile offenders. The Police Chief stated that the two SWAT vehicles being replaced had been acquired just days before being auctioned in 1993, and they were 1988 vehicles. Insofar as the funding, there were strict constraints as to what could be purchased with it. Mayor Naugle asked how many people the vans held, and the Police Chief replied they accommodate as many as necessary to do the job.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 15 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Sun-Air Sanitary Sewer Agreement (OB)

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to authorize the proper City officials to execute an agreement with Sun Air for temporary use of a wastewater facility at 2801 Southwest 3rd Avenue until such time as a public sewer system could be constructed for their connection and permanent use. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

At 7:00 P.M., Commissioner Smith left the meeting. He returned at 7:02 P.M.

Presentations (Continued) (OB)4. Community Appearance Board's WOW Award

Commissioner Moore presented the Community Appearance Board's WOW Award to

Mr. and Mrs. Sam and Salatheia Williams
418 Northwest 15th Terrace

He explained that they had purchased a lot to construct a new home, and everyone in the Dorsey Riverbend neighborhood wanted to applaud the Williams' beautiful property. Commissioner Moore noted that the house was decorated for every holiday in an appropriate theme, and the property was impeccably kept. He was proud that two young people had made this investment in the neighborhood, and he presented them with a gift certificate from Causeway Lumber. Mrs. Williams expressed her appreciation for this recognition.

Lien Settlements for Special Master and Code Enforcement Board Cases (M-44)

A motion was presented authorizing lien settlements for the following Special Master and Code Enforcement Board cases:

1. CE96090329 – Ralph Pampena Jr., Mary Pampena and Delphina Lammanca – 1821 Middle River Drive (\$953)
2. CE97010711 – Ralph Pampena Jr., Mary Pampena and Delphina Lammanca – 1821 Middle River Drive (\$3,364)
3. CE9502881 – Long Beach Mortgage Corporation – 300 Southwest 25th Avenue (\$3,500)
4. CE98082345 – Ronald D. Davis – 521 Northeast 9th Avenue (\$3,550)
5. CE8907043 – Ronald D. Davis – 521 Northeast 9th Avenue (\$4,100)
6. CE99060543 – Principles By The Sea – 2839 Vistamar Street (\$3,120)
7. CE97020318 – Principles By The Sea – 2839 Vistamar Street (\$950)
8. CE97110546 – David A. and John D. Fairchild – 84 Hendricks Isle (\$10,290)
9. CE99062148 – Betty Ann Rule, a/k/a Elizabeth Roseann Rule Trust – 5780 North Federal Highway (\$17,125)

10. CE99100688 – Betty Ann Rule, a/k/a Elizabeth Roseanne Rule Trust – 5780 North Federal Highway (\$3,000)
11. CE99070478 – J. Feinberg Realty Investment Inc. – 2161 Southwest 35th Avenue (\$1,500)
12. CE99071049 – Judith Chapman Doering – 1776 West Broward Boulevard (\$2,850)
13. CE89394 and CE9500415 – Essie Mae Evans – 436 Northwest 10th Avenue (\$8,000)

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Items 1, 2, 3, 7, 10, 11, 12, and 13 be approved as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

4. CE98082345 – Ronald D. Davis – 521 Northeast 9th Avenue (\$3,550)
5. CE8907043 – Ronald D. Davis – 521 Northeast 9th Avenue (\$4,100)

Commissioner Smith stated that these cases involved an owner who had never mowed these two vacant lots. The lots were located in a very nice neighborhood, and he felt these types of violations should be stopped. He felt the full fines should be imposed. Commissioner Moore said that it seemed fines were reduced for the greatest violators, such as Long Beach Mortgage Company. In that case, the fine was being reduced from \$179,000 to \$3,500, but compliance was the goal. Commissioner Moore was frustrated, too, but if the goal was to be harsh, he preferred liening the properties and foreclosing. The City Attorney noted that the City could not foreclose on Homesteaded properties.

Commissioner Smith stated that the Davis properties were vacant lots, so they were not Homesteaded, and they were probably worth \$250,000. The owner had passed away, and the properties were being sold, and he felt the full fines should be imposed. Mayor Naugle noted the back up material indicated these were Homesteaded properties, but he did not know how that was possible.

Mr. John Simmons, Community Inspections Bureau, explained that the overgrowth on the Davis properties had been in the front and rear yards, and it was his understanding that there was a house on the property. In this case, the previous owner had apparently been mentally incompetent, and there had been a lot of problems removing him from the premises. He advised that as soon as this was settled, the properties could be upgraded.

Commissioner Smith felt these properties were worth a fortune and were not mortgaged. He thought there was little punitive value in fining people if the fines were always settled. The City Attorney understood the property was not being occupied, so additional research would have to be conducted as to Homestead Exemption. It was the consensus of the Commission to take no action at this time pending further investigation.

6. CE99060543 – Principles By The Sea – 2839 Vistamar Street (\$3,120)

Commissioner Smith inquired as to the meaning of “use prohibited; density requirements.” Mr. Simmons explained the property was being used as a youth hostel, and the previous owner had installed a lot of bunk beds to accommodate more people than were allowed. However, the new owner had removed the bunk beds and was conforming with the Code in terms of density.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve this item as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

8. CE97110546 – David A. and John D. Fairchild – 84 Hendricks Isle (\$10,290)

Commissioner Smith understood this case involved failure to connect a vessel to a sanitary sewer system. He wondered why the owners had fought the City on this issue. Mr. Simmons understood the owner had indicated that the only boat remaining on the property was his own, and he had not felt it should have to be connected. There had also been some problems with the plumbing contractor and some question about the date of compliance.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve this item as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

9. CE99062148 – Betty Ann Rule, a/k/a Elizabeth Roseanne Rule Trust – 5780 North Federal Highway (\$17,125)

Commissioner Smith inquired as to the type of business operated at the subject address. Mr. Simmons replied that it was currently being used for the sale of automobiles. Commissioner Smith felt it looked like a junk yard. Mr. Simmons said there had been a long discussion with the owner, and he had made an unwise decision when he had leased the buildings. He explained that the lease had prevented him from removing items from his own property, and there had been problems with the tenants. The owner had been cooperative, however.

Motion made by Commissioner Smith and seconded by Commissioner Katz to approve this item as recommended. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

13. CE89394 and CE9500415 – Essie Mae Evans – 436 Northwest 10th Avenue (\$8,000)

Motion made by Commissioner Moore and seconded by Commissioner Katz to reconsider this item. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Moore inquired as to the fine per day imposed in this case. Mayor Naugle thought there could have been multiple violations. Commissioner Smith felt this was a case that demonstrated the system was still not operating properly. Commissioner Moore thought the \$250 per day fine in this case seemed exorbitant as compared to other fines imposed, although it was a problem property and a sale was pending. He also understood there was a \$5,900 demolition cost involved as well.

Ms. Lori Milano, Community Inspections Bureau, stated that this had involved two cases that were quite old, and the Board used to impose higher fines than it did currently. She advised that the purchasers of the property would be paying all the demolition costs in addition to the settlement amount.

Commissioner Moore suggested that the full fine be forgiven in this case since there was a new owner who was taking on the cost of demolition. Commissioner Smith pointed out that this property had been a blight on the neighborhood for nine years. Commissioner Moore believed foreclosure should have occurred long ago under the City Commission's policy, but he did not want to penalize the new owners who were willing to pay for the demolition. Ms. Milano advised

the demolition work had already been done, and she believed foreclosure had not taken place because the property had been Homesteaded at one time.

Mayor Naugle asked if \$2,500 would cover the City's costs. Ms. Milano believed so. Commissioner Moore suggested a \$1,000 settlement. It was agreed.

Motion made by Commissioner Moore and seconded by Commissioner Katz to approve this item in a settlement amount of \$1,000 plus demolition costs. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Annual Plan – 2000/2001 Program Year for Housing and Urban Development (HUD) Federal Entitlement Programs – Community Development Block Grant (CDBG), Home Investment Partnership Grant (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA)..... (PH-1)

A public hearing was scheduled to consider the Annual Plan for the 2000/2001 Program Year for HUD federal entitlement programs CDBG, HOME, ESG, and HOPWA. Notice of the public hearing was published June 25, 2000.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Mayor Naugle referred to the HOME Program. He understood there would be \$200,000 available for rental vouchers. Ms. Faye Outlaw, Housing & Community Development Manager, agreed that was correct. Mayor Naugle believed that money would be given to the County for vouchers, and he wondered what other activities might be eligible. Ms. Outlaw advised that HOME funds had been used in the past for housing construction, acquisition of vacant lots for building, etc. Mayor Naugle noted it was a Commission priority to encourage home ownership, and these other activities were worthy, but rental opportunities were funded with HOPWA dollars, through the Housing Authority, etc. He preferred to use the HOME monies for ownership opportunities, particularly since that was the primary intent for these funds.

Commissioner Smith agreed with Mayor Naugle. Commissioner Moore asked staff why this recommendation was being made. Ms. Outlaw explained that there was a public input process each year about unmet needs, and this had been one of the identified needs. Mayor Naugle felt there were too many City needs to transfer these monies to the County for rental vouchers. He pointed out that there were a lot of other organizations in Broward County providing all sorts of rental opportunities. Commissioner Moore felt it was important to address valid needs that had been identified by the community. He agreed the Commission's goal was to address home ownership opportunities, but there was also a segment of the population which was close to eviction due to rent and utilities payments. In fact, he had received a lot of inquiries about emergency funding to keep people in their homes when they missed a pay period or were unemployed temporarily. Commissioner Moore was particularly concerned about single parents.

Commissioner Katz agreed with Mayor Naugle, but she did not want any families with children penalized unfairly. Ms. Outlaw advised that HOME did focus on home ownership opportunities, but it did allow for rental assistance. She stated that priority would be given to Fort Lauderdale residents, much like the Commission did last year when authority was given to run a rental assistance program through the County focusing on City residents. Commissioner Smith said he could go along with this if the dollars were used only for City residents. Ms. Outlaw agreed these two programs would be designed with that criteria.

Commissioner Smith referred to the Emergency Shelter Grant program. He believed the City had used this money for the Homeless Assistance Center in the past with the idea that the funds would be used for outreach activities. This year, however, it appeared the money could be used to cover operating expenses. He felt the money should be used only to move people into transitional housing or to outreach those who were still homeless. Ms. Outlaw advised the monies had originally been used for outreach, but the Commission had authorized its use for operations and equipment about two years ago.

Commissioner Smith felt the Assistance Center should fund its own operating expenses and use this City money for transition and outreach. He said he felt very strongly about it. Commissioner Moore agreed. He pointed out that the City had asked the Center to use the money for transportation opportunities last year. Commissioner Moore suggested the money be used for shuttle expenses because that operation was quite expensive and provided outreach services. Commissioner Smith concurred.

Commissioner Smith referred to the EZ Program that provided funds to businesses on Sistrunk Boulevard. He believed the Commission had added the Northeast 13th Street corridor, but it was not listed in the Action Plan. Commissioner Moore agreed. Ms. Outlaw said that correction would be made.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the Annual Plan for 2000/2001 Program Year for HUD federal entitlement programs CDBG, HOME, ESG, and HOPWA as discussed. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

The City Manager recalled that Mayor Naugle had reported to the Commission a few months ago that Fort Lauderdale had to spend down in excess of \$3 million within nine months. He announced that Ms. Outlaw had exceeded that goal with the assistance of several other departments. The City Manager wished to publicly acknowledge that effort and success.

Rezone RMM-25 to CB/Allocate Flexibility/Site Plan

Approval – The Salvation Army, Inc. (PZ Case No. 32-ZR-99) (PH-2)

At the regular meeting of the Planning & Zoning Board on March 23, 2000, it was recommended by a vote of 4 to 2 that the following application be approved. Notice of the public hearing was published on July 6 and 13, 2000.

Applicant: The Salvation Army, Inc.
Request: Rezone RMM-25 to CB/allocate flexibility/site plan approval
Location: Southeast corner of Broward Boulevard and Southwest 9th Avenue
(100 Southwest 9th Avenue)

Mayor Naugle called for those who wished to be heard. The following appeared, having affirmed to speak only the truth by virtue of an oath administered by the City Clerk:

Mr. Chris Barton, Construction Services, stated that since the Commission's June meeting, the applicant had agreed to revise the architectural appearance and materials of the proposed house of worship. On July 10, 2000, the Historic Preservation Board had issued a Certificate of Appropriateness for the proposed buildings. Therefore, the appeal had been withdrawn, and the rezoning could move forward.

Mr. Barton said that the Salvation Army proposed construction of a house of worship and a community center, and approximately four-fifths of the site required rezoning as shown on the submitted drawing. He advised that one portion of the site was already zoned B-1, but the rest of the site needed rezoning to CB Business. It would include an allocation of flexibility units, which were available in this zone, so the house of worship could be moved forward. Mr. Barton stated that CF Community Facility zoning had been considered, but several of the proposed uses were not permitted in CF. In addition, staff favored the CB zoning because the allocation of flex would be tied to this particular site plan. Therefore, if any additional uses were introduced, the full review process would be triggered.

Mr. Barton reported that the Planning & Zoning Board had recommended approval of the rezoning and site plan by a vote of 4 to 2. Staff had initially listed five conditions, and the Board had included a sixth and seventh condition as well, as listed in the back up memorandum. Mr. Barton advised that staff recommended approval under the cited conditions.

Mr. Joel Gustafson, Attorney representing the Salvation Army, said this project represented a substantial effort over a long period of time including a building drive to upgrade this property that had been used for a very long time. He stated that many of the existing buildings would be removed and replaced with a new worship hall and a gymnasium. In addition, a new building would be constructed around the existing fellowship hall. Mr. Gustafson described the surrounding properties and advised there would be no vehicular access from 1st Avenue, although there would be pedestrian access for parishioners who walked to church from the neighborhood.

Mr. Gustafson explained that the applicant wished to protect the integrity of the neighborhood and the site, and the southern edge of the structure would be over 300' from the southern property line. He noted that the Historic Preservation Board had requested consideration of the fence material that would be used because a wrought iron appearance was desired, and that would be presented at its next meeting. Mr. Gustafson stated that as many trees as possible would be preserved or relocated on the site, and he felt the result would be very compatible with the neighborhood. He displayed the front elevation of the structure and advised that various representatives of the applicant were present to answer any questions.

At 7:45 P.M., Commissioner Hutchinson left the meeting. She returned at 7:48 P.M.

Ms. Julia Jones, of the Sailboat Bend neighborhood, understood a lot of neighborhood residents were opposed to this, but she believed the proposed project would be much better than many other possibilities. She felt the Salvation Army was more of an asset to the community than the House of Hope, and she favored a church over a homeless shelter or a drug rehabilitation center.

Mr. Bill Saunders, Sailboat Bend resident, agreed that the Salvation Army had done a good job throughout its history on this site, but he was opposed to further intrusion into the neighborhood by social service agencies. He pointed out that the Sailboat Bend Civic Association had indicated for years that the many social service agencies in the neighborhood were sufficient and should not be expanded. Mr. Saunders noted that the House of Hope had recently been permitted to construct a very large building, and he felt this expansion was ill advised. Mr. Saunders pointed out that four-fifths of this site would be rezoned from residential to commercial zoning, and the property fronted on three residential streets.

Mr. Charles Jordan, past President of the Sailboat Bend Civic Association and member of the Historic Preservation Board, said he had voted against this project as a member of that Board based upon compatibility with the neighborhood. He felt it would be a mistake to rezone the residential property for commercial use based upon the neighborhood master plan. Mr. Jordan thought that if any rezoning was going to be done, there should be a comprehensive study conducted as to the entire area to avoid spot zoning.

Mr. Jordan understood the proposed zoning would trigger various stipulations, but it would still be CB zoning, and that was a commercial category. He pointed out that times changed, Commissions changed, and opinions changed. If this rezoning was approved tonight, Mr. Jordan felt it would be an indication that the zoning should be commercial all the way into 2nd Street, and he thought that would be an egregious error in the planning of the neighborhood without proper study. He pointed out that Sailboat Bend had borne the burden of most of the City's social services, and now a zoning decision was being made on the basis of expanding a social service. Mr. Jordan was opposed.

Mr. Paul Goodchild, President of the Sailboat Bend Civic Association, stated that the neighborhood had no objection to the Salvation Army building a new church. However, residents did object to a social service provider because the neighborhood was already overburdened in that respect. He stated that the Association supported the work of the Salvation Army and always would, and he suggested some type of compromise position involving zoning restrictions.

Motion made by Commissioner Smith and seconded by Commissioner Moore that the public hearing be closed. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Moore stated that the district he represented had also be tremendously burdened by social services, and had even been impacted by the Salvation Army with its other locations. However, he had observed an improvement because of actions taken by the Commission over the past decade to protect and support neighborhood concerns relating to social service providers. Nevertheless, he felt this proposed development would be beautiful, and he thought this project should be considered with some concessions.

Commissioner Moore understood there were concerns about social service activities and asked the Salvation Army what type of services would be offered at this location. He was also interested in how the parking areas would be landscaped to buffer nearby residential property, but he did feel the proposed project could work well.

Mr. Ken Luyk, of the Salvation Army, stated that just like other churches, certain social services were provided. In this case, those services would not include any feeding programs or housing of the homeless. He stated that the Salvation Army provided those services at its 15th Avenue location. Mr. Luyk said life skills and character-building programs would be offered for children, along with camp programs, in this location just as they had been offered here for more than 40 years. He advised that this facility would function as a church and community center, and no feeding or housing programs would be offered to the homeless.

Commissioner Moore asked Mr. Goodchild if he was more comfortable with Mr. Luyk's assurances. Mr. Goodchild replied that he might be if the assurances were made in writing with a guarantee that it would remain a church in perpetuity and not a social service agency. Commissioner Hutchinson thought it would be helpful if staff announced the conditions that were recommended.

Mr. Barton stated that staff had suggested conditions, including:

- that the proposed fence along Southwest 9th Avenue and Southwest 2nd Street be composed of open, metal pickets, as per the ULDR and at least 5' in height with a landscaped hedge;
- that all exterior lighting be screened from all adjacent residential uses;
- that no outdoor public address systems be permitted on the site;
- that final DRC approval be obtained; and
- that the site plan approval would be valid for 18 months during which time building permits would be issued.

Mr. Barton advised that the uses on the site had been discussed extensively at the Planning & Zoning Board meeting, and the Board had recommended:

- That only the following uses would be allowed: a chapel, a fellowship hall with a kitchen, offices, a work room, an education wing, a game room for children and adults, an exercise room, a gymnasium for youth activities, and a miscellaneous storage room;

- That the following activities would take place in the facility: worship services, music programs, character building and youth programs, Sunday school, after-school programs, computer skills training, mentoring and counseling programs of a religious nature, youth and adult basketball games, programs for senior citizens, Alcoholics Anonymous programs, and family-focused activities; and
- That the following uses would not be allowed: feeding programs, distribution of clothing and social work types of services.

Commissioner Hutchinson asked if there was a kitchen at the site now. Mr. Barton replied there was a small kitchen in the existing facility. Mr. Luyk added that the kitchen had never been used for any type of feeding programs. He explained the kitchen was used for in-house church dinners or youth activities. Commissioner Hutchinson understood basketball would be provided inside the gymnasium. Mr. Luyk thought the green area might be used for some outside activities, but the basketball hoops would be in the gym.

Ms. Cecelia Hollar, Construction Services, stated that this was not just a rezoning. She explained that the rezoning could not occur unless the site plan was attached to the rezoning because there was a residential land use. Therefore, the City had the ability to specifically restrict the uses that would be permitted, as well as the site design. She stated that any alteration to uses or design would have to go back through the entire review process. Commissioner Hutchinson asked how this differed from the situation with the House of Hope. Ms. Hollar explained that the House of Hope had not been restricted by this mechanism.

Commissioner Moore wondered what would happen if the Salvation Army failed to comply with the stated conditions. The City Attorney said that if there were violations of the conditions, the City could initially cite and prosecute. If that method failed to bring about compliance, the City could obtain an injunction and close down the operation.

Commissioner Smith understood the concerns of the neighborhood because the Salvation Army was in the business of helping the socially needy by its very nature. He acknowledged the great need for these services, but he did not think there was a need to provide all services in one neighborhood or in one City. Commissioner Smith agreed that concentrating social services brought a lot of wear and tear to a community, and providing social services was the role of the Salvation Army.

Mayor Naugle said he had been the district Commissioner when the Salvation Army had expanded its facility in Dorsey Riverbend, and he had voted against it. He had also served on the Salvation Army Board for ten years. Mayor Naugle pointed out that this property had been owned by the Salvation Army for a very, very long time, and the area fronting on Broward Boulevard could be used now for various social service purposes. He recalled past discussions about using this property for elderly housing, and the Salvation Army had plans for an elderly residential facility. Now, a worship facility was proposed, and Mayor Naugle thought this use would probably have the least impact on the neighborhood.

Mayor Naugle noted that the design had been altered, and the Historic Preservation Board had approved. He pointed out that there were a lot of other possible uses that could impact the neighborhood much more, and he thought staff was correct in recommending CB zoning since it would provide stringent review requirements. Mayor Naugle stated that the Salvation Army had owned this property for a long time, and the neighborhood had been aware that it would use the property for something. He believed this proposal would bring much less of a burden to the neighborhood than the other possibilities.

Commissioner Katz also understood the concerns of area residents. In fact, she had two very large churches in her own neighborhood that provided many of the same services proposed in

this case. However, everyone had to live and work together, and the Salvation Army had owned the property for a very long time. She thought this zoning would be consistent with the current use of the property in any case, and there was nothing new about it. Commissioner Katz agreed with Mayor Naugle that this use would probably be the least offensive of those that would be allowed.

Commissioner Hutchinson felt the Salvation Army had been a good neighbor, and she believed most Sailboat Bend residents would agree. She pointed out that the facility had been used for neighborhood meetings, and it housed the neighborhood bike patrol. Commissioner Hutchinson pointed out that the CB zoning would allow only the specific uses and facilities described this evening. She felt the Walgreen's store was more of an intrusion into the neighborhood than this facility, and this situation differed greatly from the House of Hope. Commissioner Hutchinson said her conscience called for a vote of support.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-36

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO CB WITH THE ALLOCATION OF FLEXIBILITY, LOT 5, LESS THE NORTH 145 FEET THEREOF AND ALL OF LOT 6, BLOCK 20, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; TOGETHER WITH LOTS 12 AND 14, "KELLY OLIVER SUBDIVISION OF LOT 4, BLOCK 20, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 15 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; TOGETHER WITH LOTS 1, 2, 3 AND 14, "HAZEL ESTATES", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 42, PAGE 4, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE CUL-DE-SAC OF SOUTHWEST 1ST STREET, WEST OF SOUTHWEST 7TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore to waive the 30-day City Commission Call-Up provision for the site plan approval. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Street Name Addition – Northwest 5th Street between
Northwest 7th Avenue and Northwest 19th Avenue
to be also known as “Marjorie A. Davis Street” (R-5)

A resolution was presented authorizing that Northwest 5th Street, between Northwest 7th Avenue and Northwest 19th Avenue, will also be known as “Marjorie A. Davis Street” in the City, as requested by Commissioner Moore.

Commissioner Moore introduced *Ms. Marjorie Davis* and her family. He advised that Ms. Davis had been an advocate in the City of Fort Lauderdale for many years, and was a pillar of the community. She had mentored many people, and he was proud to offer this resolution in her honor for changing 5th Street from a drug-infested boulevard to a home for families and children.

The audience honored Ms. Davis with a standing ovation. She was very appreciative and said she intended to work as long and as hard as she could to make the neighborhood even better. Ms. Davis introduced her family members and neighbors who were present on this momentous occasion and thanked the Commission for its support.

Commissioner Moore suggested the roadway location be extended from 19th Avenue to 21st Avenue where it dead-ended with I-95. It was agreed. Commissioner Moore hoped the renaming of the street could be implemented and announced at the “Night Out Against Crime.”

Commissioner Moore introduced a written resolution entitled, as revised:

RESOLUTION NO. 00-89

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA TO PROVIDE THAT N.W. 5TH STREET BETWEEN N.W. 7TH AVENUE AND N.W. 21ST AVENUE SHALL NOW BE ALSO KNOWN AS “MARJORIE A. DAVIS STREET”.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Site Plan Review/RAC-SMU (RAC-TMU “South”) – Chinnock at
New River/Walter Ivison – The Symphony (PZ Case No. 8-R-99) (PH-3)

At the regular meeting of the Planning & Zoning Board on June 21, 2000, the following application was approved by a vote of 6 to 1.

Applicant:	Chinnock at New River/Walter Ivison
Request:	Site plan review/RAC-SMU (RAC-TMU “South”)
Location:	518 West Las Olas Boulevard

Mayor Naugle called for those who wished to be heard. Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following appeared:

Mr. Chris Barton, Construction Services, stated that the applicant proposed development of a 366-unit apartment complex to be known as The Symphony on a 2.7-acre site on the New River. He reported that letters of support had been submitted, and the Planning & Zoning Board had recommended approval of the site plan with twelve conditions as listed in the back-up memorandum.

Mr. Barton advised that 2, 22-story towers were proposed, 115' apart and across a 6-level parking garage. The two towers would be diagonally across a parking area from one another. He advised that the site plan did not include docks, although a dockage plan would be pursued as a separate proposal going to the Marine Advisory Board this week. Mr. Barton said that no retail or office uses were proposed, and staff recommended approval with the listed conditions.

At 8:26 P.M., Commissioner Katz left the meeting. She returned at 8:29 P.M.

Mr. Dennis Mele, Attorney for the applicant, noted the Commission had a complete record of this proposal, and he displayed an aerial photograph of the site near the Performing Arts Center. He displayed the site plan and noted how the footprint had been modified from the original proposal in order to create more open space and greater setbacks all around the property. Mr. Mele displayed a drawing to delineate how the taller parts of the buildings occupied a smaller portion of the site to provide a view corridor through from east to west and west to east. In addition, a significant amount of green space had been added in the revised plan.

Mr. Mele displayed two renderings and noted that models were available as well. He advised that the developer had spent considerable time on the elevation the nearby neighborhood would view the most. Mr. Mele displayed a view from the River and noted that the developer would complete the Riverwalk to connect to Cooley's Landing and allow pedestrians to cross under the 4th Avenue bridge. Mr. Mele added that he had received 25 letters of support for the project.

Mr. Paul Goodchild, President of the Sailboat Bend Civic Association, stated that the Association had been involved with this project from the beginning of the process, which had been underway for almost three years. He reported that not one informed person had voted against this proposal, and it was the neighborhood's position that this proposal was vastly superior to the previous proposal, and traffic concerns could be addressed. Mr. Goodchild believed this project would ultimately improve the overall neighborhood because it supported the neighborhood traffic plan.

Mr. Ken Ortner, President of Riverwalk Fort Lauderdale, Inc. reported that his Board supported this project under the conditions mentioned, including the connection of Riverwalk to Cooley's Landing and other park amenities. He believed these additional residents would help the retail area and accomplish the mission of Riverwalk Fort Lauderdale.

Mr. Reed Morgan, a resident of Tarpon River, stated that this developer had also been meeting with the Tarpon River neighborhood across the River, and he believed this project would really enhance the pedestrian area. He supported the project.

Mr. Lyle Davis, Sailboat Bend resident, understood a lot of people wanted to "pull in the reins" on over-development, but he did not think this would be the right place to make such a statement. He felt this project was exceptional and encouraged the Commission's support.

Ms. Cara Jean Nielsen, a six-year resident of Sailboat Bend, understood a last-minute, negative petition had been circulated, but it had indicated this would be a mammoth rental building that would greatly depreciate neighborhood property values. However, she had consulted with over ten local real estate companies and been informed that this upscale project would enhance

neighborhood property values. Ms. Nielsen quoted some of the remarks made by the various realtors and encouraged the Commission to support the project.

Mr. Bill Nielsen recalled a time when his grandparents had resided on the site now occupied by the Performing Arts Center, but times changed, and the downtown was flourishing. He felt The Symphony would be a very positive addition to the area.

Mr. Jerry Sternstein, Executive Director of the Downtown Development Authority (DDA), said that the DDA Board had liked the first proposal and liked this proposal even better.

Ms. Mary McDern, President of the Las Olas Association, stated that the Association was excited and thrilled about this project.

Mr. Bob Van Fleet, representing the Downtown Council and the Riverwalk Board, supported the project. He stated their votes had been unanimous, and everyone was enthusiastic about this people-generator on the west end of Riverwalk.

Ms. Margie Garcia, of the Chamber of Commerce and Downtown Council, supported the project because it would improve the economy and revitalize the downtown area.

Mr. Charles Jordan, of Sailboat Bend, felt this was a textbook example of how a developer should work with surrounding neighborhoods. He supported the project.

Ms. Joanne Gabers spoke in favor of this development. In fact, she hoped it would provide an incentive for someone to locate a grocery store in the neighborhood.

Mr. Bob Bekoff said he had moved to Plantation, but he had since learned he was a confirmed "urbanite" and disliked the commute from the west. He preferred to walk to work and had spoken in favor of the this project before the Planning & Zoning Board because this project was about "supply and demand." He felt recent newspaper articles about this project belonged in the "Lifestyle" section because they were fiction, and all projects were subject to the same economic laws. Mr. Bekoff encouraged support for the project.

Ms. Kathy Chenaurd, Executive Director of the Las Olas Association, welcomed the Abdo Company and The Symphony to the neighborhood. She believed the project would be an asset and looked forward to its completion.

Ms. Julia Jones thought it appeared she was the only one against this project, but she had a petition of opposition signed by approximately 80 individuals. She noted that when the Association had voted to support the project, there had only been 35 members present, and 3 of them had been against the proposal. Ms. Jones opposed the project because she had to believe all these new residents would create a traffic problem. She stated that traffic was often backed up from Broward Boulevard to Las Olas Boulevard on 7th Avenue, and cars often blocked the intersection. Ms. Jones felt the buildings were too tall, and she was tired of high rise buildings along the River. She thought views of the water should be preserved for the public.

Mr. Dick Winer, 712 Southwest 4th Place, said he had been the first President of the Sailboat Bend neighborhood in 1980, and he had never been so outnumbered. He said his house was less than 100 yards from this project and closer to the proposed building than any residential property. Mr. Winer had considered all the issues, and Sailboat Bend had experienced many difficulties over the past two decades. He himself had suffered the loss of his leg as a result of crime in the neighborhood. Although the neighborhood had come a long way from its infestation with drug and flesh peddlers, too many trees and too much sky were being replaced with

concrete and glass. Mr. Winer opposed another tower of concrete in a quiet, historical residential area.

Mr. James Carras, President of the Himmarshee Village Association, referred to the traffic calming plan for the Himmarshee Village. He stated that the reason for this plan was the congestion in the area on Friday and Saturday nights, but it was very quiet in the downtown area from Sunday to Thursday nights. Mr. Carras noted there had been a recent meeting about visions for the downtown area, and the need for a "24/7" downtown had been identified. He endorsed the project and applauded the developer.

The following individuals also spoke in favor of the proposed development, which they felt would enhance the community, help revitalize the downtown area, and complete the western end of Riverwalk:

- *Mr. Andy Zimmer*, 525 Southwest 5th Street;
- *Mr. Bill Saunders*;
- *Mr. Todd Fogel*;
- *Mr. Hugh Morris*, 801 West Las Olas Boulevard;
- *Mr. Randy Swenson*; and
- *Ms. Lisa Abrea*, Tarpon River resident.

Mr. Frank Abdo, applicant, said his company had worked very hard to bring this project to fruition, and he was grateful that so many people had come out tonight in support of the development. He stated that he would honor the commitments that had been made, and he was hopeful Ms. Jones' and Mr. Winer's feelings would change when the project was completed.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Mayor Naugle agreed with Mr. Jordan that this was a textbook example of how a developer should work within a community. However, he was concerned about the size of the site and the number of units proposed. He did not feel he could support a density of 130 units to the acre, particularly when one considered the fact that the density on the Galt Ocean Mile was only 60 units to the acre. Mayor Naugle thought that density might be appropriate in the central downtown area, but this site was right next to a very special neighborhood. He felt 180 or 200 units would be more appropriate.

Commissioner Hutchinson said she had called this project up for review because of concerns about traffic. Ms. Molly Hughes, Traffic Consultant representing the applicant, stated that a number of features were proposed to address traffic concerns. For example, the applicant had provided \$100,000 toward traffic calming features within the residential neighborhood in order to slow and divert traffic currently going through the neighborhood. In addition, the applicant had agreed to provide a number of safety enhancements to the intersection at West Las Olas Boulevard and Southwest 7th Avenue, including a new traffic signal head on the west side of the road facing northbound traffic. There would also be a blinking caution light to indicate a signalized intersection ahead.

Ms. Hughes reported that completion of Riverwalk would provide more pedestrian opportunities and allow walking under the bridge to avoid the signalized intersection. In addition, the applicant had agreed to trim back trees on the east side of the northbound approach to the intersection that blocked signage and pedestrian features. Ms. Hughes noted that the landscaping encroaching on the signs and features was on public property, but the applicant had agreed to address the situation.

Commissioner Smith disagreed with Mayor Naugle on this project. He pointed out that the Commission had approved a subsidy for a hotel to be built behind City Hall on Andrews Avenue because a hotel had not been built in downtown Fort Lauderdale for about 60 years. Commissioner Smith said that everyone had “flown to the suburbs,” and a lot of people had been on a “hunt” to get people back to the downtown area and get out of their cars to work and shop. He believed this project would be a tremendous success if it were constructed. Mayor Naugle believed all of the desirable features and concepts for the area could be achieved with a project density of 80 units to the acre.

Commissioner Moore complimented the Sailboat Bend Civic Association and supported this project, but he wondered if there could be any changes made to the roadway to make some noise in the northbound, right-turn lane to warn other drivers. Ms. Hughes said she could examine the idea of some noise mechanism, and she noted that trimming the trees would be helpful so people could see cars coming better and for a longer distance. Mr. Mele agreed some type of grooved pavement, for example, could be explored.

Commissioner Katz applauded the Abdo Company for working so well with the neighborhoods and other organizations, and she pointed out that the need for downtown housing had been identified during the recent DDA roundtable discussion on July 8, 2000. Although she shared Commissioner Moore’s concerns about the traffic, she thought this sounded like a really good project.

Commissioner Hutchinson stated that neighborhood leaders desired residents in the downtown area despite concerns about density, and she intended to support the project after careful consideration. Mayor Naugle said he was not opposed to development, but this project had grown from the 180 units originally requested to 360 units, and he felt it was way too dense for a location on the edge of a residential neighborhood.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-85

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A SITE PLAN TO DEVELOP A MULTI-FAMILY DWELLING ON THE NEW RIVER, LOCATED AT 518 WEST LAS OLAS BOULEVARD, FORT LAUDERDALE, FLORIDA IN AN RAC-SMU ZONING DISTRICT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Smith. NAYS: Mayor Naugle.

Vacate a Portion of Flamingo Avenue –
Yasat USA, Inc. (PZ Case No. 30-P-99) (O-1)

At the regular meeting of the Planning & Zoning Board on April 26, 2000, it was recommended by a vote of 9 to 0 that the following application be approved. Ordinance No. C-00-29 was published on June 24, 2000 and July 1, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5-0.

Applicant: Yasat USA, Inc.
 Request: Vacate a portion of Flamingo Avenue
 Location: Flamingo Avenue between North Ocean Boulevard (State Road A-1-A) and Northeast 34th Avenue

At 9:22 P.M., Commissioner Smith left the meeting.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-29

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF FLAMINGO AVENUE, BOUNDED ON THE NORTH BY THE NORTH LINE OF SECTION 19, TOWNSHIP 49 SOUTH, RANGE 43 EAST; BOUNDED ON THE EAST BY THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD A-1-A (100 FOOT RIGHT-OF-WAY); BOUNDED ON THE SOUTH BY THE NORTH LINE OF LOT 1, BLOCK "B", AND BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1; ALL AS SHOWN ON THE PLAT OF "BERMUDA RIVIERA SUBDIVISION OF GALT OCEAN MILE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 38, PAGE 46, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED BETWEEN A-1-A AND NORTHEAST 34TH AVENUE, NORTH OF NORTHEAST 41ST STREET AND AT THE CORPORATE LIMITS OF THE CITY OF FORT LAUDERDALE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Cable Television Franchise and Rights-of-Way (ROW)
Use Agreement – Everest Connections Corporation –
Cable Services for the City (O-2)

An ordinance was presented granting Everest Connections Corporation the non-exclusive right to occupy the rights-of-way in the City for the placement of telecommunications facilities and a non-exclusive franchise to provide cable services; and, further authorizing the proper City officials to execute a franchise agreement and a rights-of-way use agreement with Everest Connections Corporation setting forth the terms and conditions of its franchise. Ordinance No. C-00-30 was published on June 24, 2000 and July 1, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5 to 0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-30

AN ORDINANCE PURSUANT TO SECTIONS 8.15 AND 8.17 OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING TO EVEREST CONNECTIONS CORPORATION, THE NON-EXCLUSIVE RIGHT TO OCCUPY THE RIGHTS OF WAY IN THE CITY OF FORT LAUDERDALE FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RIGHTS OF WAY USE AGREEMENT WITH EVEREST CONNECTIONS CORPORATION SETTING FORTH THE TERMS AND CONDITIONS OF ITS OCCUPANCY OF THE RIGHTS OF WAY; GRANTING A FRANCHISE TO EVEREST CONNECTIONS CORPORATION TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM OVER AND BENEATH THE PUBLIC STREETS AND OTHER PUBLIC PROPERTY OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FRANCHISE AGREEMENT WITH EVEREST CONNECTIONS CORPORATION PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

At 9:25 P.M., Commissioner Smith returned to the meeting.

Cable Television Franchise and Rights-of-Way (ROW)
Use Agreement – RCN Telecom Services, Inc. –
Cable Services for the City (O-3)

An ordinance was presented granting RCN Telecom Services, Inc. the non-exclusive right to occupy the rights-of-way in the City for the placement of telecommunications facilities and a non-exclusive franchise to provide cable services; and, further authorizing the proper City officials to execute a franchise agreement and a rights-of-way use agreement with RCN Telecom Services, Inc. setting forth the terms and conditions of its franchise. Ordinance No. C-00-31 was published on June 24, 2000 and July 1, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5 to 0.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-31

AN ORDINANCE PURSUANT TO SECTIONS 8.15 AND 8.17 OF THE CHARTER OF THE CITY OF FORT LAUDERDALE, FLORIDA, GRANTING TO RCN TELECOM SERVICES, INC., THE NON-EXCLUSIVE RIGHT TO OCCUPY THE RIGHTS OF WAY IN THE CITY OF FORT LAUDERDALE FOR THE PLACEMENT OF TELECOMMUNICATIONS FACILITIES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RIGHTS OF WAY USE AGREEMENT WITH RCN TELECOM SERVICES, INC. SETTING FORTH THE TERMS AND CONDITIONS OF ITS OCCUPANCY OF THE RIGHTS OF WAY; GRANTING A FRANCHISE TO RCN TELECOM SERVICES, INC. TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM OVER AND BENEATH THE PUBLIC STREETS AND OTHER PUBLIC PROPERTY OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FRANCHISE AGREEMENT WITH RCN TELECOM SERVICES, INC. PROVIDING THE TERMS AND CONDITIONS OF THE FRANCHISE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Chapter 25, "Streets and Sidewalks" –

Create New Article X "Cable Television Systems" (O-4)

An ordinance was presented amending Chapter 25, "Streets and Sidewalks," of the Code of Ordinances of the City to create a new Article X entitled "Cable Television Systems," to provide for definitions, franchise requirements including franchise term, design and construction of the cable system, customer service and construction standards, operation and maintenance, financial and insurance provisions, franchise administration, transfer of the system and other general requirements applicable to cable television systems. Ordinance No. C-00-32 was published on June 26, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5 to 0. (Also see Item R-8 on this Agenda)

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-32

AN ORDINANCE AMENDING CHAPTER 25, STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO CREATE A NEW ARTICLE X ENTITLED CABLE TELEVISION SYSTEMS, TO PROVIDE FOR DEFINITIONS, FRANCHISE REQUIREMENTS INCLUDING FRANCHISE TERM, DESIGN AND CONSTRUCTION OF THE CABLE SYSTEM, TECHNICAL, CUSTOMER SERVICE AND CONSTRUCTION STANDARDS, OPERATION AND MAINTENANCE, FINANCIAL AND INSURANCE PROVISIONS, FRANCHISE ADMINISTRATION, TRANSFER OF THE SYSTEM AND OTHER GENERAL REQUIREMENTS APPLICABLE TO CABLE TELEVISION SYSTEMS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Section 25-203, "Use Agreement Applications" – Application Fee to be set by Resolution (O-5)

An ordinance was presented amending Section 25-203, "Use Agreement Applications," of the Code of Ordinances of the City, providing that an application fee as set by resolution of the City Commission shall be paid by providers applying to locate facilities in the Rights-of-Way (ROW). Ordinance No. C-00-33 was published on June 26, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5 to 0. (Also see Item R-9 on this Agenda)

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-33

AN ORDINANCE AMENDING SECTION 25-203, USE AGREEMENT APPLICATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT AN APPLICATION FEE AS SET BY RESOLUTION OF THE CITY COMMISSION SHALL BE PAID BY PROVIDERS APPLYING TO LOCATE FACILITIES IN THE RIGHTS OF WAY.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Chapter 20 - Police and Firefighters Retirement System – Minimum Benefit Levels and Operational Standards Imposed by Florida Statutes and Cost of Living Adjustment (COLA) Clause (O-6)

An ordinance was presented amending Chapter 20, Division 3 of the Code of Ordinances of the City respecting the Police and Firefighters Retirement System to comply with the minimum benefit levels and minimum operational standards imposed by Chapter 99-1, Laws of Florida (1999 Amendments to Chapters 175 and 185, Florida Statutes), and further providing for a five-year extension of the COLA clause until July 15, 2005. Ordinance No. C-00-34 was published on June 26, 2000, and passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5-0.

Commissioner Moore introduced the following ordinance on second reading, as amended:

ORDINANCE NO. C-00-34

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM, TO MEET THE MINIMUM BENEFIT LEVELS AND MINIMUM STANDARDS FOR THE OPERATION AND FUNDING OF THE PLAN AS PROVIDED IN CHAPTER 99-1, LAWS OF FLORIDA; AMENDING EXISTING DEFINITIONS; PROVIDING NEW DEFINITIONS; AMENDING DESIGNATION OF BENEFICIARY PROCESS; PROVIDING CREDIT FOR MILITARY SERVICE UNDER CERTAIN CIRCUMSTANCES; PROVIDING AN EARLY RETIREMENT DATE AND BENEFITS; EXPANDING THE DEFINITION OF EARNINGS; AMENDING CONDITIONS OF ELIGIBILITY; EXPANDING DURATION AND SURVIVOR BENEFITS; PROVIDING AN OPTIONAL CHAPTER 175/185 DISABILITY RETIREMENT PROCESS AND BENEFITS; CREATING PRESUMPTIONS OF DISEASES SUFFERED IN THE LINE OF DUTY; AMENDING PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR

ADDITIONAL VESTED BENEFITS FOR THOSE WHO TERMINATE WITH TEN OR MORE YEARS OF SERVICE AFTER ATTAINING AGE 50; EXTENDING COST OF LIVING ADJUSTMENT FORMULA TO JULY 15, 2005; ALTERING PAYMENT OF BENEFITS FORMULA; PROVIDING FOR RESTRICTIONS REGARDING DESIGNATION OF JOINT ANNUITANTS; ALTERING MEMBER CONTRIBUTION REQUIREMENTS FOR MEMBERS ELECTING A CHAPTER 175/185 DISABILITY RETIREMENT; REQUIRING TIMING OF DEPOSIT OF CONTRIBUTION; PROVIDING OPTIONAL FORMS OF RETIREMENT BENEFITS; AMENDING PROVISIONS RESPECTING ADMINISTRATION OF THE FUND AND BOARD OF TRUSTEES, INCLUDING, BUT NOT LIMITED TO, REDUCTION OF TERM OF OFFICE FROM THREE YEARS TO TWO YEARS, PROVIDING FOR STAGGERING OF TERMS, REPLACEMENT OF ELECTED TRUSTEES UPON TERMINATION OF EMPLOYMENT WITH CITY, REMOVAL FROM OFFICE OF ONE APPOINTED TRUSTEE, SELECTION OF SEVENTH MEMBER OF THE BOARD BY THE SIX TRUSTEES, PROVIDING FOR REIMBURSEMENT OF BOARD MEMBERS' EXPENSES AND PER DIEM AS PROVIDED BY FLORIDA LAW, RECORD KEEPING RESPONSIBILITY OF SECRETARY TO BOARD OF TRUSTEES, VESTING SOLE AND EXCLUSIVE RESPONSIBILITY FOR OPERATION OF THE FUND AND THE PLAN IN BOARD OF TRUSTEES, EMPLOYMENT OF INDEPENDENT CONSULTANT TO EVALUATE PERFORMANCE OF MONEY MANAGERS, EMPLOYMENT OF INDEPENDENT LEGAL COUNSEL, ACTUARY AND OTHER ADVISERS WITHOUT CONSENT OF CITY COMMISSION, POWER TO PURCHASE ANNUITY OR LIFE INSURANCE CONTRACTS, ESTABLISHING PRUDENT INVESTOR RULE AND RESTRICTIONS ON THE INVESTMENT AND REINVESTMENT OF ASSETS OF THE PLAN; PROVIDING FOR FORFEITURE OF RETIREMENT BENEFITS; PROVIDING FOR LUMP SUM PAYMENT OF SMALL PENSIONS; PROVIDING FOR DISTRIBUTIONS IN THE EVENT OF TERMINATION OF THE PLAN BY THE CITY; PROVIDING FOR EXEMPTIONS FROM EXECUTION; REQUIRING FORFEITURE OF BENEFITS FOR FRAUDULENT CLAIMS; PROVIDING FOR PREMIUM TAX MONEY TO PAY EXTRA BENEFITS; PROVIDING FOR ALTERNATIVE OF SUPPLEMENTAL PLAN; PROVIDING FOR THE FUNDING OF INCREMENTAL INCREASES IN ADDITIONAL MINIMUM BENEFITS TO EXTENT ADDITIONAL PREMIUM TAX REVENUES BECOME AVAILABLE; PROVIDING FOR TRANSFER TO ANOTHER STATE RETIREMENT SYSTEM; PROVIDING THAT MINIMUM BENEFIT LEVELS AND MINIMUM STANDARDS FOR OPERATION OF CHAPTER 99-1, LAWS OF FLORIDA SUPERSEDE CONFLICTING ORDINANCE PROVISIONS DURING PERIOD CITY IS A PARTICIPANT IN PREMIUM TAX MONEY DISTRIBUTIONS; PROVIDING FOR AUTOMATIC REPEAL OF PORTIONS OF THIS ORDINANCE AND REVIVAL OF PRE-EXISTING PROVISIONS REPEALED BY THIS ORDINANCE IF CITY REVOKES PARTICIPATION IN PREMIUM TAX MONEY DISTRIBUTIONS; DELETING PROVISIONS WHICH HAVE EXPIRED OR BECOME OBSOLETE; AMENDING CROSS-REFERENCES AND CLARIFYING CERTAIN PROVISIONS; PROVIDING FOR EFFECTIVE DATE.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Section 6-4 – Dogs on the Beach Area (O-7)

An ordinance was presented amending Section 6-4 of the Code of Ordinances of the City, prohibiting dogs, pets and domesticated animals from certain beach areas. Ordinance No.

C-00-35 was published on June 26, 2000, and was passed on first reading at the Regular Meeting of July 6, 2000 by a vote of 5 to 0.

Commissioner Katz wondered if the Commission would consider an amendment that would continue to ban dogs on the east and west sides of A-1-A, south of Sunrise Boulevard, but to permit dog-walking north of Sunrise Boulevard on the west side of A-1-A along Birch State Park at any time.

Mr. Steve Lang said he lived on A-1-A, north of Sunrise Boulevard. Although he did not currently have a dog, he had owned dogs in the past and many of his neighbors had dogs. Mr. Lang did not feel this ordinance would be good for the neighborhood although it was well intentioned. He pointed out that it would prevent people who lived in the neighborhood, between 14th and 18th Streets, from walking with their dogs to a neighbor's house on a side street. Mr. Lang believed the real problem involved irresponsible pet owners and a lack of enforcement of existing rules and regulations.

Mayor Naugle asked Mr. Lang if he supported Commissioner Katz's idea. He did. In fact, he did not see any problem with walking dogs in this area on the east side of the road as long as they were not taken onto the beach itself and as long as existing regulations were enforced.

Mr. Ed Triangle, 3325 Northeast 16th Court, supported Commissioner Katz's suggestion. He did not believe one could find many tourists walking along the west side of A-1-A at the northern end of the beach near Birch State Park. He advised that the proposed ordinance would eliminate one of the pleasures he enjoyed in life, which was to come home from work and go out for a walk with his dog. Mr. Triangle agreed with Mr. Lang that rules about cleaning up after pets should be enforced, but he hoped the Commission would exempt the west side of A-1-A from Birch State Park to 18th Street from this ordinance.

Ms. Stephanie Kalen, of Harbor Inlet, opposed the proposed ordinance. She did not believe there had been adequate notice of this ordinance provided because the notice was vague, and a material modification had been made to the proposal noticed at the last meeting. Ms. Kalen did not feel the public had been given adequate opportunity to consider this issue, and she did not support a more stringent ordinance designed to address violations of existing regulations. She relished her right to walk her dog and hoped the Commission would readvertise this proposal or consider some alternatives.

Mr. John Grevall said he lived on the Galt Ocean Mile and he used to walk the entire beach four times each week, year round in all weather. However, he had stopped doing so about a year ago because the walk was too obnoxious, difficult and scary because of mostly large dogs. He related several incidents he had observed recently involving dogs running into cars and attacking one another. Mr. Grevall welcomed this ordinance.

Mr. Tom Tobin said he and his dog, Daisy, frequently walked the beach from end to end, and he felt this ordinance was ill advised. He acknowledged that certain pet owners were irresponsible, but many people enjoyed walking their dogs and caused no problems. Mr. Tobin referred to a recent newspaper picture showing a man with a beer in his hand, with three pit bulls that were not leashed or tagged. He believed there were six violations shown in the photograph, and if enforcement of existing regulations did not resolve the problem, another law would not do so either. Mr. Tobin hoped the Commission would reconsider this whole issue so Fort Lauderdale could be a dog-friendly town, particularly since there were a lot of people who felt more safe walking the beach with their pets.

Commissioner Smith agreed with Commissioner Katz that it would not be fair to prohibit residents of the Finger Isle streets from walking their dogs. He agreed that area should be

exempt from this ordinance. Commissioner Moore thought the Commission should consider staff's recommendation to make dog beach available every day in order to make up for the prohibitions contained in this ordinance. He explained this ordinance was being considered because so many complaints had been received about irresponsible dog owners, and he did not believe it was feasible for police officers to enforce dog-related regulations on a beach over 1-1/2 miles long.

Commissioner Katz thought it was unfortunate that irresponsible people caused problems that forced this type of action that punished everyone, but she felt it was necessary. She also pointed out that this ordinance did not extend beyond 14th Court so the area between Northeast 14th Court and 18th Street would not be affected. Commissioner Hutchinson agreed with Commissioner Katz. She noted that she had received a letter and wondered about the notice issue raised by an earlier speaker. The City Attorney advised that the advertisement contained a very general heading, and the proposed ordinance fit within the parameters of the published notice.

Commissioner Moore pointed out that this entire concept had been given a good trial, and it was clear this practice was not working out at all. Nevertheless, he supported Commissioner Katz's suggestion to exempt the west sidewalk area north of Sunrise Boulevard from the ordinance.

Motion made by Commissioner Katz and seconded by Commissioner Smith to amend the ordinance to exempt the area on the west side of A-1-A , from Sunrise Boulevard to Northeast 14th Court, from its requirements. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on second reading, as amended:

ORDINANCE NO. C-00-35

AN ORDINANCE AMENDING SECTION 64 OF THE CODE OF ORDINANCES
OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROHIBITING DOGS,
PETS AND DOMESTICATED ANIMALS FROM CERTAIN BEACH AREAS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Mayor Naugle noted that Commissioner Smith had suggested expanding the availability of the dog beach to 7 days a week. He believed Parks & Recreation Department staff had indicated that would be very costly to provide Rangers 7 days per week, but he wondered if there was any interest in a compromise to allow dog beach to be available on Fridays, Saturdays and Sundays rather than every day. Commissioner Smith thought that was a great idea. Commissioner Moore did not think dogs should be encouraged on the beach on Friday nights. He suggested allowing availability on Saturdays, Sundays and Mondays instead.

The City Manager asked that he be given an opportunity to work with the Parks & Recreation Department toward a three-day schedule for dog beach. It was agreed. Mayor Naugle asked when Bark Park would be open within Snyder Park. Mr. Tom Tapp, Director of Parks & Recreation, advised it was scheduled to open in mid-August.

Amend ULDR Section 47-19.2 –

“Accessory Buildings and Structures” –

Awnings and Canopies (PZ Case No. 1-T-00) (O-8)

An ordinance was presented amending ULDR Section 47-19.2, “Accessory Buildings and Structures, General,” to permit awnings to extend into required yards to the property line and to provide a definition for an awning and canopy. Notice of the proposed ordinance was published on July 8, 2000.

Mayor Naugle asked what zoning districts would be affected by this ordinance. Mr. Dan Siff, Office of Community and Comprehensive Planning, advised it would apply to multi-family and non-residential zoning districts. Mayor Naugle did not think it made sense to allow a multi-family building to have awnings out to the street. Commissioner Smith agreed. He thought a setback of 18” would at least prevent truck mirrors from striking awnings as they passed on the road.

Mr. Scott Miller, Development Review Coordinator, clarified that there were other limitations that would apply and supersede this allowance in residential areas. For example, a residential use in a B-1 or CB zoning district could have an awning, but Section 47-19.2 B limited architectural features to 3’ from the face of a building or up to one-third of the required setback. In addition, that would only be allowed for a linear distance of 20% of the yard. Therefore, there were limitations controlling this in residential districts.

Mayor Naugle understood that awnings over sidewalks would be allowed beyond the property line. Mr. Miller agreed that was correct, and they would be allowed to within 18” of the curb or street edge, but only if it was approved by the Engineering Division relating to rights-of-way.

Commissioner Moore wondered if this represented a privatization of the public right-of-way. Mr. Miller said it would allow an encroachment over a public right-of-way, but it would not allow a change of use beneath the awning. He pointed out that this would provide shade on streets where it was appropriate, like Las Olas Boulevard and Andrews Avenue, and it provided shelter from the elements subject to Engineering review and permit.

The City Attorney noted that the City Commission had established pedestrian shelter as a design goal, particularly in multi-family, commercial areas. He believed this would enhance that public policy favoring pedestrian use and did not restrict the public’s access to the rights-of-way. The City Attorney was very comfortable that this would not represent privatization of public property.

Commissioner Moore inquired about repair and maintenance of awnings. Mr. Miller stated that awnings would be treated the same way as the upland building in terms of maintenance standards. Mayor Naugle wondered if the ordinance could be amended for second reading to

include a section regarding proper maintenance. The City Attorney noted that provision could be included as a condition attached to the engineering permit required for such awnings over public property. As the awnings related to private property, the City Attorney felt a provision could be added to the ordinance in time for second reading.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-37

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-19.2, ACCESSORY BUILDINGS AND STRUCTURES, GENERAL, TO PERMIT AWNINGS TO EXTEND TO THE PROPERTY LEIN ADJACENT TO A STREET AND TO PROVIDE A DEFINITION FOR AN AWNING AND CANOPY.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amend Section 5-29 – Hours of Sale of Alcoholic Beverages/Extended Hours of Operation Permit (O-9)

An ordinance was presented amending Section 5-29 of the Code of Ordinances to require vendors licensed to sell alcoholic beverages to cease the sale of alcoholic beverages at 12:00 midnight; to permit all such vendors to apply for an Extended Hours of Operation Permit to allow for the sale of alcoholic beverages until 2:00 a.m. Monday through Friday and until 3:00 a.m. on Saturday and Sunday; to require as a condition of an extended hours permit that vendors comply with standards to minimize negative impacts on surrounding residential areas; and, providing penalties. Notice of the proposed ordinance was published on July 8, 2000.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-00-38

AN ORDINANCE AMENDING SECTION 5-29 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO REQUIRE VENDORS LICENSED TO SELL ALCOHOLIC BEVERAGES TO CEASE THE SALE OF ALCOHOLIC BEVERAGES AT MIDNIGHT; TO PERMIT ALL SUCH VENDORS TO APPLY FOR AN EXTENDED HOURS OF OPERATION PERMIT TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES UNTIL 2:00 A.M. MONDAY THROUGH FRIDAY AND UNTIL 3:00 A.M. ON SATURDAY AND SUNDAY; TO REQUIRE AS A CONDITION OF AN EXTENDED HOURS PERMIT THAT VENDORS COMPLY WITH STANDARDS TO MINIMIZE NEGATIVE IMPACTS ON SURROUNDING RESIDENTIAL AREAS; AND PROVIDING PENALTIES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Tentative Annual Budget – Fiscal Year 2000/2001 (R-1)

A resolution was presented accepting the City Manager's Budget Message for fiscal year 2000/2001 and authorizing the City Manager to compute a proposed millage rate for the City of Fort Lauderdale and the Sunrise Key Neighborhood Improvement District, and to advise the

Broward County Property Appraiser of such proposed millage rates. (Please see Item 1A on the Conference Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-86

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING THE CITY MANAGER'S BUDGET MESSAGE, ESTIMATES AND RECOMMENDATIONS FOR FISCAL YEAR 2000-2001 AND AUTHORIZING THE CITY MANAGER TO COMPUTE PROPOSED MILLAGE RATES AND TO ADVISE THE BROWARD COUNTY PROPERTY APPRAISER OF SUCH PROPOSED MILLAGE RATES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Sanitation Revenue Bonds, Series 2000 –
Wingate Landfill Site - \$6,205,000 (R-2)

A resolution was presented authorizing the issuance of Sanitation Revenue Bonds of the City in such amounts as the City shall hereafter determine by series resolution, for the purpose of paying all or a portion of the cost (as defined herein) of projects relating to the City's Sanitation System; providing for the issuance of additional sanitation revenue bonds to pay all or part of the cost of additional projects and for refunding outstanding sanitation revenue bonds; providing for the incurrence of other types of indebtedness of the City providing for the payment of such bonds, other debt and the interest thereon from net revenues of the Sanitation System; setting forth the rights and remedies of the holders of such bonds and other indebtedness; providing a severability clause and a conflicts clause; providing an effective date; and, for other purposes.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-87

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF SANITATION REVENUE BONDS OF THE CITY OF FORT LAUDERDALE, FLORIDA, IN SUCH AMOUNTS AS THE CITY SHALL HEREAFTER DETERMINE BY SERIES RESOLUTION, FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COST (AS DEFINED HEREIN) OF PROJECTS RELATING TO THE CITY'S SANITATION SYSTEM; PROVIDING FOR THE ISSUANCE OF ADDITIONAL SANITATION REVENUE BONDS TO PAY ALL OR PART OF THE COST OF ADDITIONAL PROJECTS AND FOR REFUNDING OUTSTANDING SANITATION REVENUE BONDS; PROVIDING FOR THE INCURRENCE OF OTHER TYPES OF INDEBTEDNESS OF THE CITY; PROVIDING FOR THE PAYMENT OF SUCH BONDS, OTHER DEBT AND THE INTEREST THEREON FROM NET REVENUES OF THE SANITATION SYSTEM; SETTING FORTH THE RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH BONDS AND OTHER INDEBTEDNESS; PROVIDING A SEVERABILITY CLAUSE AND A CONFLICTS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Sanitation Revenue Bonds, Series 2000 – Series Resolution (R-3)

A resolution was presented authorizing the issuance of not to exceed \$6,205,000 principal amount of City Sanitation Revenue Bonds, Series 2000, for the purpose of providing funds to: (1) pay the costs of the Series 2000 project, (2) fund a deposit to the reserve account or purchase a reserve account credit facility therefor and (3) pay the costs of issuance of the Series 2000 Bonds; fixing the form and certain details and denominations of said Series 2000 Bonds; authorizing the public sale by competitive bid of said bonds; approving the forms of the official notice of bond sale and bid form for said bonds; approving the conditions and criteria of such sale; authorizing the City Manager to award said bonds and establish certain terms thereof within the parameters set forth herein; authorizing the execution and directing the authentication and delivery of said bonds; directing the application of the proceeds of said bonds; authorizing the execution and delivery of an official statement and the use of a preliminary official statement with respect to said bonds; approving uncertificated, book-entry only registration of said bonds with the depository trust company; covenanting to provide continuing disclosure in accordance with Securities and Exchange Commission Rule 15C2-12 and authorizing the execution of a continuing disclosure commitment; authorizing the City Manager to obtain municipal bond insurance for said bonds and/or a reserve account credit facility therefor; authorizing the execution and delivery of any necessary agreements with the provider of such municipal bond insurance or reserve account credit facility; authorizing other required actions; and, providing an effective date.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-88

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,205,000 PRINCIPAL AMOUNT OF CITY OF FORT LAUDERDALE, FLORIDA SANITATION REVENUE BONDS, SERIES 2000, FOR THE PURPOSE OF PROVIDING FUNDS TO: (1) PAY THE COSTS OF THE SERIES 2000 PROJECT, (2) FUND A DEPOSIT TO THE RESERVE ACCOUNT OR PURCHASE A RESERVE ACCOUNT CREDIT FACILITY THEREFOR AND (3) PAY THE COSTS OF ISSUANCE OF THE SERIES 2000 BONDS; FIXING THE FORM AND CERTAIN DETAILS AND DENOMINATIONS OF SAID SERIES 2000 BONDS; AUTHORIZING THE PUBLIC SALE BY COMPETITIVE BID OF SAID BONDS; APPROVING THE FORMS OF THE OFFICIAL NOTICE OF BOND SALE AND BID FORM FOR SAID BONDS; APPROVING THE CONDITIONS AND CRITERIA OF SUCH SALE; AUTHORIZING THE CITY MANAGER TO AWARD SAID BONDS AND ESTABLISH CERTAIN TERMS THEREOF WITHIN THE PARAMETERS SET FORTH HEREIN; AUTHORIZING THE EXECUTION AND DIRECTING THE AUTHENTICATION AND DELIVERY OF SAID BONDS; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT AND THE USE OF A PRELIMINARY OFFICIAL STATEMENT WITH RESPECT TO SAID BONDS; APPROVING UNCERTIFICATED, BOOK-ENTRY ONLY REGISTRATION OF SAID BONDS WITH THE DEPOSITORY TRUST COMPANY; COVENANTING TO PROVIDE CONTINUING DISCLOSURE IN ACCORDANCE WITH SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12 AND AUTHORIZING THE EXECUTION OF A CONTINUING DISCLOSURE COMMITMENT; AUTHORIZING THE CITY MANAGER TO OBTAIN MUNICIPAL BOND INSURANCE FOR SAID BONDS AND/OR A RESERVE ACCOUNT CREDIT FACILITY THEREFOR; AUTHORIZING THE EXECUTION AND DELIVERY OF

ANY NECESSARY AGREEMENTS WITH THE PROVIDER OF SUCH MUNICIPAL BOND INSURANCE OR RESERVE ACCOUNT CREDIT FACILITY; AUTHORIZING OTHER REQUIRED ACTIONS; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Argyl Sanitary Sewer Improvements and Water Main Replacement -
Construction Completion and Acceptance of Final Assessment Roll (R-4)

A resolution was presented accepting the Argyl sanitary sewer improvement project, revising the final assessment roll, crediting each assessment for the difference between the original assessment and the final based on actual construction costs, and establishing a completion date of August 1, 2000. (Also see Item M-38 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. A-00-20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ARGYL DRIVE AREA SANITARY SEWER IMPROVEMENT PROJECT NO. 10031 IS COMPLETE AND ACCEPTING THE IMPROVEMENTS; CREDITING EACH ASSESSMENT AS ORIGINALLY MADE; AMENDING THE FINAL ASSESSMENT ROLL AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Site Plan Approval/PEDD – Peebles Atlantic Development Corporation –
Broward County Convention Center Hotel (PZ Case No. 63-R-99) (R-6)

A resolution was presented considering the following application, which was approved at the May 25, 1999 Development Review Committee meeting.

Applicant: Peebles Atlantic Development Corporation
Request: Site plan approval/PEDD
Location: The southeast corner of the intersection of Eisenhower Boulevard and the Southeast 17th Street Causeway (Commodore Brook Causeway)

Mayor Naugle looked forward to this project being completed quickly and generating additional tax revenues for the City.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-90

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE USE OF AND SITE PLAN FOR CERTAIN PROPERTY LOCATED WITHIN A PEDD ZONING DISTRICT ON THE SOUTHEAST CORNER OF EISENHOWER BOULEVARD AND THE 17TH STREET CAUSEWAY, FORT LAUDERDALE, FLORIDA, AS A SITE FOR A 500 ROOM CONVENTION HOTEL TO BE LOCATED WITHIN THE

NORTHPORT/BROWARD COUNTY CONVENTION CENTER DEVELOPMENT
OF REGIONAL IMPACT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Joint Participation Agreement (JPA) –
Florida Department of Transportation (FDOT) – Project 9850 –
Proposed Traffic Signal at Northeast 30th Street and State Road A-1-A (R-7)

A resolution was presented authorizing the proper City officials to execute an amendment to the JPA with FDOT in the amount of \$300,000 for design and construction of a decorative-style traffic signal at the intersection of Northeast 30th Street and State Road A-1-A. (Also see Item M-41 on this Agenda).

Commissioner Moore reported that the FDOT had yet to meet with any resident about the Sunrise Boulevard improvements near Joseph C. Carter Park.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-91

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDMENT TO A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, PROVIDING FOR THE ALLOCATION OF ADDITIONAL FUNDING TO THE CITY OF FORT LAUDERDALE TO SUPPORT THE COMPLETION OF IMPROVEMENTS AT THE INTERSECTION OF STATE ROAD A1A AND NE 30 STREET.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Chapter 25 – Cable Television Franchise Application Fees..... (R-8)

A resolution was presented setting cable television franchise application fees pursuant to Section 25-252 of the Code of Ordinances. (Also see Item O-4 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-92

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCLUDE AND PROVIDE FOR THE APPLICATION FEES FOR CABLE TELEVISION FRANCHISES, TRANSFERS, MODIFICATIONS AND RENEWALS PURSUANT TO SECTION 25-252 OF THE CODE OF ORDINANCES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Chapter 25 – Rights-of-Way Use Agreement Application Fees (R-9)

A resolution was presented setting rights-of-way use agreement application fees pursuant to Section 25-203 of the Code of Ordinances. (Also see Item O-5 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-93

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCLUDE AND PROVIDE FOR THE APPLICATION FEES FOR RIGHTS OF WAY USE AGREEMENTS AS PROVIDED IN SECTION 25-203 OF THE CODE OF ORDINANCES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Amendment to Personnel Rules –

Temporary to Permanent Status Employment (R-10)

A resolution was presented amending the Personnel Rules to convert twenty-nine (29) temporary, full-time positions to permanent, full-time positions in the City.

Mayor Naugle felt this ordinance should be deferred until the budget had been approved. He pointed out that this involved a lot of positions, and he felt it should be considered during the budget process. The City Manager explained that he had been gradually trying to address the number of positions classified as temporary, full-time since last year, and these particular positions had been examined against certain criteria. He stated that the greatest impact of changing temporary to permanent employees related to pension and health care benefits, so there would be no budgetary impact in the first year.

Mayor Naugle realized the City Manager was dealing with a mess left by a previous administration, but he thought it would be best to make this type of decision in the context of the budget process. The City Manager advised that could be done, but he had been trying to expedite the process, and the budget had been devised with the recognition that these positions would be reclassified more appropriately. He pointed out that most of the positions were within the Parks & Recreation Department, and they were needed on a permanent basis due to new facilities constructed under the Parks Bond Issue.

Commissioner Moore was aware that a number of employees had been working 36 hours per week under "temporary" classifications for several years. Mr. Tom Tapp, Director of Parks & Recreation, stated that this pertained to one individual who had been working as a part-time Stadium Manager for over three years, and the remaining 16 positions would be addressed in the budget message. The City Manager noted that another "batch" of these had been presented earlier in the year. He advised that the number of personnel involved had been reduced from 72 to 29 employees.

At 10:20 P.M., Commissioner Moore left the meeting.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-94

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONVERTING TWENTY-NINE TEMPORARY, FULL-TIME POSITIONS TO PERMANENT STATUS; PROVIDING FOR AN INTERIM AMENDMENT TO RULE VIII, SECTION 6, OF THE PERSONNEL RULES THAT WILL EXPIRE ON DECEMBER 29, 2000, SO THAT EMPLOYEES WHOSE POSITIONS ARE BECOMING PERMANENT ARE ELIGIBLE FOR PRIORITY PROMOTIONAL EXAMINATION AND APPOINTMENT, AND TO ALLOW THE USE OF WHOLE LIST CERTIFICATION.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, and Smith. NAYS: Mayor Naugle.

Lot Clearing and Cleaning Charges (R-11)

A resolution was presented authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL

ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY,
FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

At 10:22 P.M., Commissioner Moore returned to the meeting.

Building Board-Up and Securing Charges (R-12)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings located thereon.

Commissioner Smith asked how the City handled the board-up certificates. Ms. Lori Milano, Community Inspections Bureau, replied that it depended on who did the boarding. She explained that if the City's contractor boarded a building, certificates were issued at the time of boarding. If a property owner was handling it himself, a certificate was required and, if owners failed to obtain certificates, they were cited through the usual enforcement process. Ms. Milano reported that since adoption of the ordinance, staff had aggressively enforced it. She stated that once a certificate was issued, owners were allowed to keep their properties boarded for a year only.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 00-96

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Demolition of Buildings (R-13)

At the April 20, 2000 meeting of the Unsafe Structures and Housing Appeals Board, it was recommended that the City demolish the following buildings and assess the properties with costs:

- (1) 526 Northwest 9th Avenue
- (2) 530 Northwest 9th Avenue
- (3) 534 Northwest 9th Avenue
- (4) 538 Northwest 9th Avenue

Mayor Naugle understood this item had been deleted from the agenda. Commissioner Moore questioned that action. Mr. John Smith, Building Official, explained that he had requested the late withdrawal of this item because it was his opinion that the subject buildings were not, in fact, unsafe. Commissioner Moore stated that this had been nothing but a problem site, and he was concerned about the process. Mr. Smith explained that a board up certificate had been

issued for one of the properties, and permits had been issued for replacement of doors and windows on the other three buildings. He stated that the sites had been cleaned up.

Mayor Naugle asked why the memorandum from the Assistant City Manager had recommended demolition. Mr. Smith replied that staff had been moving towards demolition since April, but the owners had improved the property to the point that he could not make a finding that the buildings were unsafe as the City's Building Official.

The City Attorney explained that the South Florida Building Code empowered the City to demolish buildings under certain circumstances, and one of the applicable criteria involved a finding that buildings were unsafe by the Building Official. He did not feel the City Commission could go forward on this item tonight without danger of litigation. Commissioner Moore asked who had boarded the buildings. Ms. Milano stated that the City had caused the buildings to be secured.

Mayor Naugle felt the decision to demolish should be based upon available evidence, and the photographs in the files showed extremely deteriorated structures in deplorable condition. Commissioner Moore wondered who had cleared the trash from the properties. Ms. Milano did not know. Commissioner Moore did not believe the owners cared at all about these properties, and he felt the buildings should be torn down, particularly since tax dollars had to be used to secure the buildings to safeguard the public.

The City Manager noted that the Commission would be meeting as the CRA Board on July 24, 2000. He suggested the Commission allow staff some time to research this issue further by deferring the item to that date. Mayor Naugle asked that an engineer inspect the properties in the meantime as well.

Motion made by Commissioner Moore and seconded by Commissioner Smith to defer this item to 4:00 P.M. on July 24, 2000. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Appointment of Special Masters – Meah Rothman Tell and Karen M. Zann (R-14)

A resolution was presented authorizing the appointment of Meah Rothman Tell and Karen M. Zann as Special Masters for the City.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-97

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE APPOINTMENT OF MEAH ROTHMAN TELL AND KAREN M. ZAHN AS SPECIAL MASTERS FOR THE CITY OF FORT LAUDERDALE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Citrus Canker (R-15)

A resolution was presented supporting the eradication of Citrus Canker by urging all lawn maintenance companies to utilize decontamination procedures and stating the City's intent to provide education on Citrus Canker and tree replacement, as requested by Commissioners Moore and Hutchinson.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENCOURAGING ALL LAWN, ORNAMENTAL PLANT, AND TREE SERVICE MAINTENANCE COMPANIES TO UTILIZE DECONTAMINATION PROCEDURES WITHIN THE CITY OF FORT LAUDERDALE AND TO PROVIDE EDUCATION ON CITRUS CANCER AND TREE REPLACEMENT IN THE "FOCUS" MAGAZINE AND THE CITY'S WEB PAGE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Support of Environmental Protection Agency (EPA)
Superfund Program Proposed Plan (GW 4) –
Peele Dixie Wellfield Contamination..... (R-16)

A resolution was presented in support of EPA's new proposed plan (GW 4) for the cleanup of the contaminated groundwater at Peele Dixie Wellfield.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-99

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE SUPERFUND PROGRAM PROPOSED PLAN ("GW4") OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY PROVIDING FOR SOIL REMOVAL AND REPLACEMENT WITH CLEAN FILL AND THE CREATION OF A HYDRAULIC BARRIER AT THE FLORIDA PETROLEUM REPROCESSORS SUPERFUND SITE IN ORDER TO PROTECT THE PEELE-DIXIE WELLFIELD.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Addendum to Agreement – Broward County Local
532 AFSCME – Article 46, Comprehensive Health Care (R-17)

A resolution was presented authorizing the proper City officials to execute an addendum to the agreement with Broward County Local 532 AFSCME regarding Article 46, Comprehensive Health Care, and contingent upon ratification vote on July 14, 2000 by bargaining unit members.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-100

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY AND AFSCME, LOCAL 532, IN ORDER TO AMEND THE AGREEMENT TO REVISE PROVISIONS OF ARTICLE 46, COMPREHENSIVE HEALTH CARE, SO THAT THE CITY MAY SELF INSURE ITS HEALTH CARE BENEFITS AND UTILIZE THE SERVICES OF A THIRD PARTY ADMINISTRATOR._____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Appointment of Special Counsel – Henry Latimer of
Eckert, Seamans, Cherin & Mellott, LLC – Employee Relations (R-18)

A resolution was presented authorizing the appointment of Henry Latimer of the law firm of Eckert, Seamans, Cherin & Mellott, LLC for matters of employee relations.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING HENRY LATIMER OF THE LAW FIRM OF ECKERT, SEAMANS, CHERIN & MELLOTT, LLC, AS SPECIAL COUNSEL, TO REPRESENT THE CITY IN LITIGATION AND ADMINISTRATIVE PROCEEDINGS ARISING OUT OF EMPLOYEE RELATIONS MATTERS._____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Intent to Lease Commercial Dock Areas A and B – Bahia Mar Yacht Basin (R-19)

A resolution was presented declaring that certain dock facilities owned by the City, described as Dock Areas A and B located at the southernmost end of the Bahia Mar Yacht Basin, were not needed for governmental purposes, and declaring the intention of the City Commission to offer such dock facilities under competitive conditions for a lease of three years with an option for three additional 2-year terms, pursuant to the conditions provided by Section 8.09 of the City Charter.

Mayor Naugle hoped the City could select the best proposal for the community even if it was not the highest bid. He pointed out, for example, that the Jungle Queen had such a tradition in Fort Lauderdale that the community would come out ahead even if free dockage were offered.

Therefore, Mayor Naugle hoped the request for proposals would allow the Commission to select the proposal with the most overall benefit to the City.

The City Attorney advised that the Charter allowed the City Commission to select the most advantageous proposal to the community based on all the factors and not just the bid price. Mr. Chuck Adams, Economic Development, noted that the proposal documents did request additional information about site improvements, maintenance, and other criteria that would be considered in addition to price. Mayor Naugle suggested inclusion of language relating to uses that promoted the area as the yachting capital of the world. Mr. Adams also noted that the Jungle Queen had historically leased this property from the City and subleased it to other tenants.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING THAT CERTAIN DOCK FACILITIES, OWNED BY THE CITY OF FORT LAUDERDALE, DESCRIBED AS DOCK AREAS "A" AND "B," LOCATED AT THE SOUTHERNMOST END OF THE BAHIA MAR YACHT BASIN, ARE NOT NEEDED FOR GOVERNMENTAL PURPOSES, AND DECLARING THE INTENTION OF THE CITY COMMISSION TO OFFER SUCH DOCK FACILITIES UNDER COMPETITIVE CONDITIONS, FOR A LEASE OF THREE YEARS WITH A TWO-YEAR EXTENSION, ONLY IN THE EVENT SUCH EXTENSION IS APPROVED BY THE CITY COMMISSION, PURSUANT TO THE CONDITIONS PROVIDED BY SECTION 8.09 OF THE CITY CHARTER.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Transfer from General Fund Contingencies -
Qualified Target Incentive (QTI) and Direct Cash Agreement –
ANC Rental Corporation (R-20)

A resolution was presented authorizing a \$45,000 payment to Enterprise Florida Fund for the Qualified Target Incentive (QTI) Program and a Direct Cash Incentive Agreement between ANC Rental Corporation and the City for \$50,000 over a four-year period; and further authorizing the transfer of \$95,000 from General Fund Contingencies to PED030301/4299 (Other Contributions) to pay both contributions.

Commissioner Moore understood there would be a relocation of employees from Minnesota into this area. Mr. Pete Witschen, Assistant City Manager, advised that employees would be relocated from out of State and from Palm Beach County. He noted this arrangement had been crafted in partnership with the County, and sales tax generation figures had been listed in the back-up memorandum. Mr. Witschen advised that if the targets listed were not met, the incentive would not be provided.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE QUALIFIED TARGETED

INDUSTRY (QTI) TAX INCENTIVE PROGRAM APPLICATION FOR AN RENTAL CORPORATION PURSUANT TO SECTION 208.106, FLORIDA STATUTES FOR EXPANSION OF ITS BUSINESS INTO THE CITY OF FORT LAUDERDALE; PROVIDING AUTHORIZATION TO SHARE THE STATE REQUIRED LOCAL GOVERNMENT PARTICIPATION AMOUNT WITH BROWARD COUNTY AND FURTHER AUTHORIZING PARTICIPATION IN BROWARD COUNTY'S DIRECT CASH INCENTIVE PROGRAM AS OUTLINED IN THE BROWARD COUNTY JOB GROWTH/ECONOMIC DEVELOPMENT INCENTIVES ACT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Assessment Rate for

Fire Rescue Assessments – Fiscal Year 2000/2001 (R-21)

A resolution was presented relating to the provision of fire-rescue services, facilities and programs in the City; establishing the estimated assessment rate for fire-rescue assessments for the fiscal year beginning October 1, 2000; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; providing for conflicts; providing for severability; and providing an effective date.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF FORT LAUDERDALE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2000; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Reschedule September 5, 2000

Conference and Regular Meetings to September 6, 2000 (R-22)

A resolution was presented rescheduling the Tuesday, September 5, 2000 Conference and Regular meetings to Wednesday, September 6, 2000, due to the Labor Day Holiday.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE SEPTEMBER 5, 2000, REGULAR AND CONFERENCE MEETINGS OF THE CITY COMMISSION TO SEPTEMBER 6, 2000.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

EZ Direct Loans – Courtney Case and Canvas Films (OB)

Memorandum No. 00-1096 had been distributed with regard to the Enterprise Zone Direct Loans for Courtney Case and Canvas Films. Mr. Pete Witschen, Assistant City Manager, clarified that the memorandum indicated that the City would be able to acquire the building in the event of a default, but it could actually only acquire the mortgage.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the Enterprise Zone Direct Loans for Courtney Case and Canvas Films as recommended in Memorandum No. 00-1096 and as clarified. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Education Advisory Board	Gil Borrero Bruce Tyrrell
Marine Advisory Board	Robert Sadowski
Unsafe Structures and Housing Appeals Board	Jim Rampe

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Municipal Elections – December 5 and 19, 2000 (OB)

A resolution was presented calling a special municipal primary election on December 5, 2000 to nominate qualified persons for the Office of City Commission from District III, and calling a special municipal election on December 19, 2000 to elect a City Commissioner from District III.

Mayor Naugle wished to note for the record that he supported a November 7, 2000 election date. He pointed out that not only would that date save the taxpayers \$40,000, but it would also give the electors the greatest voice by presenting the question during a Presidential election. Mayor Naugle was disappointed, too, that the district would go unrepresented longer than necessary.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 00-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CALLING A SPECIAL MUNICIPAL PRIMARY ELECTION TO BE HELD ON DECEMBER 5, 2000, TO NOMINATE QUALIFIED PERSONS FOR THE OFFICE OF CITY COMMISSION DISTRICT III AND CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON DECEMBER 19, 2000, TO ELECT A CITY COMMISSIONER FROM COMMISSION DISTRICT III; FURTHER ESTABLISHING A QUALIFYING PERIOD FOR SAID SPECIAL MUNICIPAL PRIMARY ELECTION.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

At 10:45 P.M., Commissioner Smith left the meeting.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to recess this meeting to 4:00 P.M. on July 24, 2000. Roll call showed: YEAS: Commissioners Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Mayor Naugle wished to remind the Commission that the League of Cities Convention would be held in Fort Lauderdale on August 10, 11 and 12, and encouraged them to participate. In addition, the "Night Out on Crime" was scheduled for August 1, 2000, and he had been informed there would be a special visit by MacGruff.

At 10:47 P.M., Mayor Naugle recessed the meeting to July 24, 2000 at 4:00 P.M.

Jim Naugle
Mayor

Lucy Masliah
City Clerk